

FEDERAL REGISTER

THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
OF THE UNITED STATES
1934

VOLUME 7 NUMBER 202

Washington, Wednesday, October 14, 1942

Regulations

TITLE 7—AGRICULTURE

Chapter VIII—Sugar Agency

PART 802—SUGAR DETERMINATIONS

WAGE RATES FOR HARVESTING LOUISIANA SUGARCANE

Determination of fair and reasonable wage rates for harvesting sugarcane in Louisiana between September 1, 1942, and June 30, 1943.

Whereas section 301 (b) of the Sugar Act of 1937, as amended, provides the following as one of the conditions for payment to producers of sugar beets and sugarcane:

That all persons employed on the farm in the production, cultivation, or harvesting of sugar beets or sugarcane with respect to which an application for payment is made shall have been paid in full for all such work, and shall have been paid wages therefor at rates not less than those that may be determined by the Secretary to be fair and reasonable after investigation and due notice and opportunity for public hearing; and in making such determinations the Secretary shall take into consideration the standards therefor formerly established by him under the Agricultural Adjustment Act, as amended, and the differences in conditions among various producing areas: *Provided, however,* That a payment which would be payable except for the foregoing provisions of this subsection may be made, as the Secretary may determine, in such manner that the laborer will receive an amount, insofar as such payment will suffice, equal to the amount of the accrued unpaid wages for such work, and that the producer will receive the remainder, if any, of such payment.

and

Whereas the Secretary of Agriculture has held public hearings in Louisiana for the purpose of receiving evidence likely to be of assistance to him in determining fair and reasonable wage rates for persons employed in the harvesting of sugarcane during the period from September 1, 1942, to June 30, 1943.

Now, therefore, I, Claude R. Wickard, Secretary of Agriculture, after investigation and due consideration of the evidence obtained at the aforesaid hearing

and all other information before me, do hereby make the following determination:

§ 802.24j *Fair and reasonable wage rates for persons employed in the harvesting of sugarcane in Louisiana between September 1, 1942, and June 30, 1943.* The requirements of section 301 (b) of the Sugar Act of 1937, as amended, shall be deemed to have been met with respect to the harvesting of sugarcane in Louisiana during the period from September 1, 1942, to June 30, 1943, if all persons employed on the farm during that period in the harvesting of sugarcane shall have been paid in full for all such work and shall have been paid wages in cash therefor at rates not less than the following:

(a) Time rate

	Per day of 9 hours	Per hour (cents)
Cutting, topping, and stripping:		
Adult males.....	\$1.85	21.0
Adult females.....	1.50	17.0
Loading.....	2.25	25.0
Cutting and loading.....	2.00	22.0
Tractor drivers and truck drivers.....	2.30	26.0
Teamsters.....	2.20	24.0
Hoist operators.....	2.00	22.0
Any other harvesting operations not connected with mechanical loading or mechanical harvesting:		
Adult males.....	1.55	17.0
Adult females.....	1.25	14.0
Operations connected with mechanical loading or mechanical harvesting:		
Operators of mechanical loading or harvesting equipment.....	2.45	27.0
Grabmen, spotters, ropemen.....	2.25	25.0
Pilers.....	2.00	22.0
Scrappers.....	1.85	21.0
Other operations connected with mechanical loading or mechanical harvesting.....	1.85	21.0

(b) Tonnage rates—(1) Green sugarcane, per ton.

Variety of sugarcane	Cutting, topping, and stripping	Loading	Cutting and loading as combined operation
Co. 200, C. P. 20-103, or C. P. 20-110.....	\$0.80	\$0.19	\$0.99
All other varieties.....	.93	.25	1.18

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Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.25 per month or \$12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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Telephone information: DIstrict 0525.

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(2) Burnt sugarcane, per ton.

Variety of sugarcane	Cutting, topping, and stripping	Loading	Cutting and loading as combined operation
Co., 200, C. P. 29-103, or C. P. 29-116.....	\$0.62	\$0.19	\$0.81
All other varieties.....	.68	.25	.93

(c) Rates for harvesting operations performed by children. (1) For children between the ages of 14 and 16 years, the rate per day of 8 hours (maximum hours per day for such children) shall be not less than three-fourths of the rates established above for adult male workers for a 9-hour day. For a working day shorter than 8 hours, the rate shall be in proportion.

(2) The piece rates for children between the ages of 14 and 16 years shall be the same as those established above for adults (except that such children shall not be so employed or permitted to work for more than 8 hours per day).

Provided, however, (1) That the piece rate for a particular harvesting operation calculated on a basis other than prescribed in this determination shall be such as to provide earnings per 9-hour day or per hour of not less than the daily or hourly rates specified above for such operation;

(ii) That for a working day longer or shorter than 9 hours, the applicable time rate for a particular harvesting operation shall be the hourly rate specified above for such operation;

(3) That the producer shall furnish to the laborer without charge the customary perquisites, such as a habitable house, a suitable garden plot with facilities for its cultivation, pasturage for livestock, medical attention, and similar incidentals;

(4) That the producer shall not, through any subterfuge or device whatsoever, reduce the wage rates to laborers below those determined above; and

(5) That nothing in this determination shall be construed to mean that a producer may qualify for a payment

under the act who has not paid in full the amount agreed upon between the producer and laborer. (Sec. 301, 50 Stat. 909; 7 U.S.C. 1940 ed. 1131).

Done at Washington, D. C., this 10th day of October 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 42-10236; Filed, October 12, 1942;
11:17 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter II—Agricultural Marketing Administration

PART 204—POSTED STOCKYARDS AND LIVE POULTRY MARKETS

TREV. MOORE SALES-SERVICE, HYNES, CALIF.

OCTOBER 12, 1942.

Trevor H. (Trev.) Moore, doing business as Trev. Moore Sales-Service, Hynes, California—Notice under Packers and Stockyards Act.¹

Whereas, the Trev. Moore Sales-Service was posted on December 16, 1940, as a stockyard subject to the provisions of the Packers and Stockyards Act, 1921; and

Whereas, it appears that the Trev. Moore Sales-Service is not being operated as a stockyard within the meaning of that term as defined in said Act;

Now, Therefore, notice is hereby given that the Trev. Moore Sales-Service no longer comes within the foregoing definition and the provisions of Title III of said Act.

[SEAL] THOMAS J. FLAVIN,
Assistant to the
Secretary of Agriculture.²

[F. R. Doc. 42-10278; Filed, October 13, 1942;
11:11 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regulations, Serial No. 240]

PART 239—CHARTER TRIPS AND SPECIAL SERVICES

[Amendment 2 of § 239.1]

Amendment of § 239.1 *Charter trips and special service by air carriers holding Certificates of Public Convenience and Necessity.*

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 29th day of September 1942.

The Civil Aeronautics Board, acting pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a) and 401 (f) thereof, and deeming its action necessary to carry out the provisions of said Act and to exercise its

¹ Modifies list posted stockyards 9 CFR 204.1.

² Acting pursuant to authority delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81, 7 F.R. 2656).

powers and perform its duties thereunder, hereby makes and promulgates the following regulation:

Effective October 5, 1942, paragraph (a) of § 239.1 of the Economic Regulations is hereby amended by striking out the words "the Military Director of Civil Aviation or his designee," and inserting in lieu thereof the words "the Commanding General, The Air Transport Command, or his designee".

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-10298; Filed, October 13, 1942;
11:40 a. m.]

TITLE 28—JUDICIAL ADMINISTRATION

Chapter I—Department of Justice

PART 30—TRAVEL AND OTHER CONDUCT OF ALIENS OF ENEMY NATIONALITIES

CLASSES OF PERSONS CONTROLLED BY REGULATIONS

Section 30.1 is amended to read as follows:

§ 30.1 *Classes of persons controlled by these regulations.* Except as hereinafter expressly excluded by § 30.2, persons in the United States (including Puerto Rico and the Virgin Islands) required to comply with these regulations are as follows:

(a) All aliens of the age of 14 years or older who were or are citizens or subjects of Germany or Japan.

(b) All aliens of the age of 14 years or older who at present are stateless but who at the time at which they became stateless were citizens or subjects of Germany or Japan.

Section 30.2 is amended by revising paragraphs (a) and (b), by striking therefrom paragraphs (c) and (d), by adding thereto a new paragraph marked (c) and by redesignating paragraph (e) as paragraph (d).

Section 30.2 will now read as follows:

§ 30.2 *Classes of persons not required to comply with these regulations.* Persons not required to comply with these regulations are as follows:

(a) Former German or Japanese citizens or subjects who before December 7, 1941, in the case of former Japanese citizens or subjects, and before December 8, 1941, in the case of former German citizens or subjects became and are citizens or subjects of any nation other than Germany or Japan.

(b) Austrians or Austrian-Hungarians (Austro-Hungarians) or Koreans who registered as such under the Alien Registration Act of 1940, provided that such persons have not at any time voluntarily become German or Japanese citizens or subjects.

(c) All citizens or subjects of Italy, and all aliens who at present are stateless but who at the time at which they became stateless were citizens or subjects of Italy.

(d) Aliens of enemy nationalities during their term of military service in the armed forces of the United States.

But these regulations shall not be construed as defining or limiting the classes of aliens of enemy nationalities subject to apprehension, detention, or internment or the other provisions of the aforesaid Proclamations.

Effective date of these amendments is October 19, 1942.

FRANCIS BIDDLE,
Attorney General.

[F. R. Doc. 42-10280; Filed, October 13, 1942;
11:14 a. m.]

TITLE 29—LABOR

Chapter II—National Labor Relations Board

[Amendment to Rules and Regulations—
Series 2—as Amended]

PART 202—PROCEDURE UNDER SECTION 10 OF THE ACT FOR THE PREVENTION OF UNFAIR LABOR PRACTICES

EXCEPTIONS, ETC.

By virtue of the authority vested in it by the National Labor Relations Act, approved July 5, 1935, the National Labor Relations Board hereby issues the following amendments to its Rules and Regulations—Series 2—as amended (General Rules and Regulations) which it finds necessary to carry out the provisions of said Act. Said amendments to the Rules and Regulations—Series 2—as amended, shall become effective upon the signature of the original amendments by the members of the Board, and upon the publication thereof in the FEDERAL REGISTER.

Sections 202.33 and 202.37, National Labor Relations Board Rules and Regulations, Series 2—as amended, are hereby amended in the following manner: § 202.33 is amended by changing the word "thirty" in the first sentence of the first paragraph thereof to the word "fifteen" and by changing the word "twenty" in the first sentence of the last paragraph thereof to the word "ten". § 202.37 is amended by changing the word "thirty" in the first sentence of the second paragraph thereof to the word "fifteen" and by changing the word "twenty" in the first sentence of the last paragraph thereof to the word "ten". As amended, §§ 202.33 and 202.37, Rules and Regulations—Series 2—as amended, shall read as follows:

§ 202.33 *Exceptions; time for filing; where to file; service on parties; extension of time; effect of failure to include matter in exception.* Within fifteen days from the date of the entry of the order transferring the case to the Board, pursuant to § 202.32, any party may file with the Board at Washington, D. C., an original and four copies of a statement in writing setting forth such exceptions to the Intermediate Report or to any other part of the record or proceeding (including rulings upon all motions or objec-

¹ F.R. 4604.

tions) as he relies upon, together with the original and four copies of a brief in support thereof. Immediately upon the filing of the statement of exceptions, the party filing the same shall serve a copy thereof upon each of the other parties and shall file a copy with the Regional Director. Upon proper cause shown, the Board may extend the period within which to file a statement of exceptions or brief.

No matter not included in a statement of exceptions may thereafter be objected to before the Board, and failure to file a statement of exceptions shall operate as a submission of the case to the Board on the record.

Should any party desire permission to argue orally before the Board, request therefor must be made in writing to the Board within ten days after the date of the entry of the order transferring the case to the Board (or in Board cases the date of filing the Intermediate Report), pursuant to § 202.32. The Board shall notify the parties of the time and place for oral argument, if such permission is granted.

§ 202.37 *Procedure before Board in cases over which it has assumed jurisdiction.* After a hearing for the purpose of taking evidence upon the complaint in any proceeding over which the Board has assumed jurisdiction in accordance with § 202.36, the Board may:

(a) Direct that the Trial Examiner prepare an Intermediate Report, in which case the provisions of §§ 202.32 to 202.35, inclusive, shall insofar as applicable govern subsequent procedure, and the powers granted to Regional Directors in such provisions shall for the purpose of this section be reserved to and exercised by the Board; or

(b) Reopen the record and receive further evidence before a member of the Board, or other agent or agency; or

(c) Issue proposed findings of fact, proposed conclusions of law, and proposed order; or

(d) Make other disposition of the case.

Within fifteen days from the date of filing the Intermediate Report pursuant to paragraph (a) of this section, or from the date of issuance of proposed findings of fact, proposed conclusions of law, and proposed order, pursuant to paragraph (c) of this section, any party may file with the Board at Washington, D. C., an original and four copies of a statement in writing setting forth such exceptions to the Intermediate Report, or to the proposed findings, conclusions, and order, as the case may be, or to any other part of the record or proceeding (including rulings upon all motions or objections) as he relies upon, together with the original and four copies of a brief in support thereof. Immediately upon the filing of the statement of exceptions and brief the party filing the same shall serve copies with the Regional Director. Upon proper cause shown, the Board may ex-

tend the period within which to file a statement of exceptions or brief.

Should any party desire permission to argue orally before the Board, request therefor must be made in writing to the Board within ten days after the date of the Intermediate Report or the date of the proposed findings, conclusions, and order, as the case may be. The Board shall notify the parties of the time and place for the oral argument, if such permission is granted. Thereafter the Board shall forthwith decide the matter or make other disposition of the case.

(Sec. 6 (2), 49 Stat. 452; 29 U.S.C., Sup. IV, 156)

Signed at Washington, D. C., this 12th day of October 1942.

H. A. MILLIS,
Chairman.

WM. M. LEISERSON,
Member.

GERARD D. REILLY,
Member.

[F. R. Doc. 42-10260; Filed, October 12, 1942; 3:19 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Dockets Nos. A-1646 and A-1647]

PART 331—MINIMUM PRICE SCHEDULE, DISTRICT NO. 11

ORDER GRANTING RELIEF, ETC.

Order of consolidation and order granting temporary relief and conditionally providing for final relief in the matter of the petitions of District Board No. 11 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 11.

Original petitions having been duly filed with this Division by the above-named party, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requesting the establishment, both temporary and permanent, of price classi-

fications and minimum prices for the coals of certain mines in District No. 11; and

It appearing that the above-entitled matters raise similar and related issues; and

It further appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with this Division in the above-entitled matters; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That the above-entitled matters be, and the same hereby are, consolidated.

It is further ordered, That, pending final disposition of the above-entitled matters, temporary relief be, and the same hereby is, granted as follows: Commencing forthwith § 331.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 331.24 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: September 30, 1942.

[SEAL] DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 11

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 331, Minimum Price Schedule for District No. 11 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 331.5 *Alphabetical list of code members—Supplement R*

Mine Index No.	Code member	Mine	Seam	Subdistrict	Freight origin group	Price group	Shipping point	Railroad
795	Peacock Mining Company	Peacock.....	V	BO	20	11	Boonville....	SoH.

Mine Index No. 795 shall be included in Price Group 11 and shall take the same f. o. b. mine prices as other mines in Price Group 11 in Minimum Price Schedule, District No. 11, For All Shipments Except Truck. It shall also take the same adjustments in f. o. b. mine prices on account of differences in freight rates as other mines in Freight Origin Group 20 of the Boonville Subdistrict having the same freight rate.

Mine Index No. 795 shall be accorded the same prices for railroad locomotive fuel as shown in § 331.10 in Minimum Price Schedule, District No. 11, For All Shipments Except Truck as are shown for Mine Index No. 87.

Docket A-1646

FOR TRUCK SHIPMENTS

§ 331.24 General prices in cents per net ton for shipment into all market areas—
Supplement T

Code member index	Mine No.	Mine	Prices and size group Nos.													
			Seam													
			1	2	3	4	5	6	7	8	9	10	11	12	13	14
PEERY COUNTY																
Bolin, Bennie	407	Bolin	5	250	245	240	230	225	220	180	185	175	170	150	140	85
WARREN COUNTY																
Houston, Gurney E. (Houston Mining Company)	1353	No. 3	5	250	245	240	230	225	220	180	185	175	170	150	140	85
Wilson, R. H.	1352	Wilson	5	250	245	240	230	225	220	180	185	175	170	150	140	85

[F. R. Doc. 42-10238; Filed, October 12, 1942; 11:30 a. m.]

[Docket No. A-1587]

PART 334—MINIMUM PRICE SCHEDULE,
DISTRICT NO. 14

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 14 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 14.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 14; and it appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 334.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R and § 334.24 (*General prices for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

No price classifications or minimum prices are proposed by petitioner for the coals, in Size Group 12, produced from the No. 1 Mine of code member E. A. Watkins (Mine Index No. 607) and the Thayer Mine (Mine Index No. 608) in Subdistrict 5 in District No. 14, nor for the coals, in Size Group 12, produced from the New Paradise Mine (Mine Index No. 610) in Subdistrict 3 in District No. 14. However, the joint order issued in Docket Nos. A-137, A-208 and A-251, on March 28, 1942, 7 F. R. 2703, permanently established a price classification of "L" for all shipments except truck and a minimum price of \$3.00 per ton for truck shipments, for the coals in Size Group 12 produced from mines in Pro-

duction Groups 2 to 9, inclusive, in District No. 14. For the purpose of uniformity, it is deemed advisable to establish classifications and minimum prices for the above-named mines which will correspond with those in effect for other mines in the same subdistricts producing comparable and analogous coals. Accordingly, price classifications and minimum prices for all shipments except truck and for truck shipments have been included in the attached schedules marked "Supplement R" and "Supplement T" for the coals in Size Group 12, produced from Mine Index Nos. 607, 608 and 610.

It is further ordered, That pleadings in opposition to the original petition in

the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: September 29, 1942.

[SEAL]

DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 14

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 334, Minimum Price Schedule for District No. 14, and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 334.5 Alphabetical list of code members—Supplement R

[Alphabetical list of code members showing price classification by size group for all uses except railroad locomotive fuel]

Code member			Mine No.		Mine name		Production group No.		Shipping point	
Leftis, Earl	609	Lottis Mining Co.	609	610	Lottis Mining Co.	10	3	5	5	Stigler, Okla.
New Paradise Coal Company (Harold Arnold)	608	Thayer	608	607	Thayer	10	3	5	5	Paris, Ark.
Thayer, Willard (Thayer Coal Company)	607	No. 1	607	607	No. 1	10	3	5	5	Excelsior, Ark.
Watkins, E. A.	607	No. 1	607	607	No. 1	10	3	5	5	Mansfield, Ark.
RR	15	B	15	15	B	15	15	15	15	15
MV	15	C	15	15	C	15	15	15	15	15
MP	15	C	15	15	C	15	15	15	15	15
SLSP	15	F	15	15	F	15	15	15	15	15

The above classifications are subject to the Order granting temporary relief in Docket A-1360.

FOR TRUCK SHIPMENTS
§ 334.24 General prices for shipment into all market areas—Supplement T

Code member index				Prices and size group Nos.																				
Mine index No.	Mine	Sub-district No.	County	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
609	Loftis, Earl New Paradise Coal Company (Harold Arnold).	10	Haskell			400											135							500
610	New Paradise	3	Logan			385									300		135					325		
608	Thayer, Willard (Thayer Coal Company)	5	Sebastian			385								325	300		125	115	105		280			
607	Watkins, E. A.	5	Sebastian			335								300	300		135				270			

The above prices are subject to the Order granting temporary relief in Docket A-1360.

[F. R. Doc. 42-10237; Filed, October 12, 1942; 11:30 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[General Imports Order M-63, as Amended September 30, 1942¹]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain imported materials for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1042.1 *General Imports Order M-63*—(a) *Definitions*. For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether or not incorporated.

(2) "Owner" of any material means any person who has any property interest in such material except a person whose interest is held solely as security for the payment of money.

(3) "Consignee" means the person to whom a material is consigned at the time of importation.

(4) "Import" means to transport in any manner into the continental United States from any foreign country or from

¹ This order as amended makes certain changes in Lists I, II, and III.

² This document is a restatement of Amendment 6 to M-63, which appeared in the FEDERAL REGISTER of October 1, 1942, page 7773, and reflects the order in its completed form as of September 30, 1942.

any territory or possession of the United States (including the Philippine Islands). It includes shipments into a free port, free zone, or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States and shipments in bond into the continental United States for transportation to Canada, Mexico, or any other foreign country.

(5) "Place of initial storage" means any warehouse, yard ground storage, or other place, to which the person making the entry or withdrawal from custody of the United States Bureau of Customs of material imported subject to this order directs or has directed that such material be transported from the port of entry to be held until disposed of pursuant to this order.

(6) Material shall be deemed "in transit" if either it is afloat or on board ocean bill of lading has actually been issued with respect to it.

(b) *Restrictions on imports of materials*. (1) After the date upon which any material is first made subject to this order, no person, other than the Board of Economic Warfare, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, and any other United States governmental department, agency or corporation, or any agent acting for such company, department, agency, or corporation, shall, except as authorized or otherwise directed in writing by the Director General for Operations, purchase for import, import, offer to purchase for import, receive, or offer to receive on consignment for import, or make any contract or other arrangement for the importing of, any such material. No bank or other person shall

participate, by financing or otherwise, in any arrangement which such bank or person knows or has reason to know involves the importation of any such material unless such bank or person has received either a copy of the authorization issued by the Director General for Operations, or, if the material is one of those on List I or List II, an affidavit stating that the material is imported under a contract made before, or in existence on, the date when such material was first made subject to the provisions of this order. The materials subject to this order are those listed upon List I, List II, and List III attached hereto, and those hereafter made subject to this order by the Director General for Operations.

(2) Any person desiring such authorization, whether owner, purchaser, seller, or consignee of the material to be imported, or agent of any of them, shall make application therefor in duplicate on Form PD-222-C, addressed to the War Production Board, Ref.: M-63, Washington, D. C.

(3) Unless otherwise directed by the Director General for Operations, this prohibition shall not prevent the importing, under the restrictions herein-after set forth, of any material on List I or List II by any person under any contract made before, or in existence on, the date when such material was first made subject to the provisions of this Order M-63.

(4) This prohibition shall apply, however, to the importing of any material on List III by any person under any contract or other arrangement whether made prior or subsequent to the date upon which such material was made subject to the order except where on such

date such material was in transit to a point within continental United States.

(5) Unless otherwise directed by the Director General for Operations, the restrictions set forth in this paragraph (b) shall not apply to any material of which any United States governmental department, agency, or corporation is the owner at the time of importation or to any material which the owner at the time of importation had purchased or otherwise acquired from any United States governmental department, agency, or corporation.

(c) *Restrictions on disposition of imported material on List I*. Except as hereinafter specifically provided in paragraph (d) hereof:

(1) *Restrictions upon owners and consignees*. No owner or consignee of any material on List I which is imported after such material has become subject to this order shall in any way, directly or indirectly:

(i) Dispose of any interest in such material;

(ii) Process or in any way change the physical condition of such material;

(iii) Transfer possession, or cause or permit a transfer of possession, of such material except to the port of entry and from the port of entry to the place of initial storage of such material; or

(iv) Change, or cause or permit a change of, the location of such material except to the port of entry and from the port of entry to the place of initial storage of such material.

Provided: That a consignee of such material may dispose of his interest in such material to the extent necessary to complete any commitment or contract made prior to the effective date of this order.

The person to whom he disposes of such interest shall be subject to all restrictions imposed upon owners by this order.

(2) *Restrictions upon banks and persons similarly situated.* No bank or other person which, as agent, pledgee, beneficiary under a trust receipt, or otherwise, has possession of or any interest in any written instrument evidencing any interest in any material on List I shall in any way, directly or indirectly, dispose of any such interest, or transfer possession, or cause or permit a transfer of possession, of such instrument, unless: (i) Such material was imported before it became subject to this order; or

(ii) Such person neither knows nor has reason to know that such material was imported after it became subject to this order; or

(iii) Such disposition or transfer is necessary to permit a consignee to make a permissible disposition of material in accordance with subparagraph (1) of this paragraph (c); or

(iv) Such disposition or transfer is made to the owner of the material and such owner has complied with all the provisions of this order.

(d) *Permissible disposition of imported materials on List I—(1) Transfer to Governmental agency.* Nothing contained in this order shall prohibit any person having any interest whether as owner, consignee, or otherwise, in any material on List I imported after such material has become subject to this order from disposing of, or making any arrangement to dispose of, any interest in such material to the Board of Economic Warfare, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation.

(2) *Authorization by Director General for Operations.* Notwithstanding the provisions of paragraph (c), an owner of material on List I imported after such material has become subject to this order or a bank or other person having possession of or an interest in a written instrument evidencing an interest in such material, may process such material or may dispose of any interest in such material or any such written instrument, or transfer possession or change the location thereof, or cause or permit such a transfer of possession or change of location, upon written authorization by the Director General for Operations. Any such person may make application in duplicate for such an authorization on Form PD-222A, which form shall be addressed to the War Production Board, Ref: M-63, Washington, D. C.

(3) *Exceptions.* The restrictions set forth in paragraph (c) shall not apply to any material of which any United States governmental department, agency, or corporation is the owner at the time of importation, and shall not apply to any such material after any United States governmental department, agency, or corporation becomes the owner thereof, and shall not apply to any material purchased or otherwise acquired from any United States governmental department, agency, or corporation.

(e) *Restrictions on disposition of imported material on List II or List III.*

Any material on List II or List III, which is imported after such material has become subject to this order, may be sold, processed, consumed, or otherwise disposed of without restriction, subject to the provisions of paragraph (f) hereof as to reports, and subject to the provisions of Priorities Regulation No. 1 (Part 944), hereinafter mentioned, and of any general preference, conservation, or limitation order of the Director General for Operations which now or hereafter may be in effect with respect to such material.

(f) *Reports—(1) Reports of existing contracts to the War Production Board.* Promptly after any List I or List II material has become subject to this order, every person other than any United States governmental department, agency, or corporation, or any agent acting for any such department, agency, or corporation who has outstanding any order, contract, or other arrangement for the importing of any such material or who has heretofore acquired for import any such material which has not physically arrived at the port of entry thereof when this order becomes effective with respect thereto, shall report all relevant facts with respect to such material to the War Production Board, Ref: M-63, Washington, D. C. Such report shall be filed in duplicate.

(2) *Reports of authorized contracts to the War Production Board.* Every person (other than any United States governmental department, agency, or corporation, or any agent acting for such department, agency, or corporation), who is authorized by the Director General for Operations under paragraph (b) hereof, to make any contract or other arrangement for the importing of any material subject to this order, shall promptly report all relevant facts with respect to any contract or other arrangement entered into pursuant to such authorization to the War Production Board, Ref: M-63, Washington, D. C. Such report shall be filed in duplicate.

(3) No material which is imported after it has become subject to this order, including materials imported by or for the account of the Board of Economic Warfare, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation, shall be entered through the United States Bureau of Customs for any purpose, whether for consumption, for warehouse, in transit, in bond, for re-export, for appraisal, or otherwise, unless the person making the entry shall file with the entry Form PD-222-B in duplicate. No material on List I or List II which was imported prior to July 2, 1942, and which on July 2, 1942, was in a free port, free zone, or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States shall be withdrawn for consumption unless the person making the withdrawal shall file with the withdrawal Form PD-222-B in duplicate. Both copies of such form shall be transmitted by the Collector of Customs to the War Production Board, Stockpile and Shipping Branch, Ref: M-63, Washington, D. C.

(4) *Other reports.* All persons having any interest in, or taking any action with respect to, any material imported after it has become subject to this order, whether as owner, agent, consignee, or otherwise, shall file such other reports as may be required from time to time by the War Production Board.

(g) *Routing of communications.* All communications concerning this order shall, unless otherwise herein directed, be addressed to: War Production Board, Washington, D. C., Ref.: M-63.

(h) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or who furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority assistance.

(i) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944) as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(j) *Effective date.* This order shall take effect at 12:01 a. m. on the 30th day after June 2, 1942, and shall continue in effect until revoked. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

LIST I

[Attached to General Imports Order M-63, as Amended September 30, 1942]

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1941, as supplemented January 1, 1942). Materials are included in the list to the extent that they are covered by the commodity numbers listed below.

Material	Commerce import class No.
Asphalt	5394.0
	5078.1
	5079.1
Beef and mutton tallow—includes oleo stock	0036.6
Beef and mutton tallow (inedible)—includes oleo stock	0815.6
Brazilian pebble (quartz crystals), unmanufactured	5120.6
Brazilian pebble (quartz crystals), manufactured and semi-manufactured in blanks, slabs, bars, etc	N. S. C.
Castor beans	2231.0
Castor oil	226.02

¹ N. S. C.—No Separate Class. Commodity number has not yet been assigned by the Department of Commerce, Statistical Classification of Imports.

Material	Commerce import class No.
Cinchona bark or other bark from which quinine may be extracted	2201.0
Cod oil	0804.0
Columbium ore (columbite) or con- centrates	6270.3
Cottonseed oil, crude, refined	1423.1
	1423.2
Divi-divi pods	232.14
Divi-divi, hemlock, and chestnut extracts	2345.0
Flax, unmanufactured (all types)	3261.0
	3262.5
	3262.6
	3262.7
	3262.8
	3262.9
Flaxseed (linseed)	2233.0
Glycerine—crude and refined	8290.0
	8291.1
Goose down	N.S.C.
Graphite or plumbago:	
Amorphous, natural (except of Mexican origin)	5730.1
Crystalline, flake	5730.5
Crystalline, lump, chip, or dust	5730.6
Hemp (Cannabis Satiba type only) unmanufactured:	
Hackled, including "line of hemp"	N.S.C.
Not hackled	N.S.C.
Tow	N.S.C.
Horse mane and tail hair, includ- ing switches	3694.0
	3694.1
Lac, crude, seed, button and stick	2105.0
Linseed oil, and combinations and mixtures, in chief value of such oil	2254.0
Mangrove extract	2342.0
Metallic mineral substances in crude form, not otherwise classi- fied (such as drosses, skimmings, residues, brass foundry ash, and flue dust)	674.19
Muru muru nuts and kernels	2239.63
	2239.64
Muru muru nut oil	N.S.C.
Myrobalan fruit and extract	2304.0
	2345.8
Neatsfoot oil and animal oils known as neatsfoot stock	0808.95
Oleo oil	0036.2
Peanut (ground nut) oil	1427.0
Quebracho extract	2344.0
Rotenone bearing roots (cube root (timbo or barbasco), derris and tuba), crude and advanced	221.28
	221.30
	222.36
	222.37
Rubber seed	2239.5
Rubber seed oil	N.S.C.
Rutile	6270.2
Sunflower oil (edible)	1421.0
Sunflower oil (denatured)	2247.0
Tantalum ore (tantallite)	6270.4
Tara	232.23
Tucum nuts and kernels	2239.65
	2239.66
Tucum oil	N.S.C.
Valonia beads and valonia extract	2307.0
	2345.1
Wattle extract	2345.5
Whale oil (other than sperm)	0803.5
Wool (apparel, finer than 44's)	3520.0
	3521.1
	3521.2
	3521.3
	3522.0
	3523.1
	3523.2
	3523.3
	3526.0
	3527.1
	3527.2
	3527.3

Material	Commerce import class No.
Wool (apparel, finer than 44's)—Con.	3528.0
	3529.1
	3529.2
	3529.3
Wool grease, including degreas or brown wool grease (all grades)	0813.2
	0813.3
	0813.5
Zirconium ore	6270.5

LIST II

[Attached to General Imports Order M-63, as
Amended September 30, 1942]

The numbers listed after the following
materials are commodity numbers taken
from Schedule A, Statistical Classifica-
tion of Imports of the Department of
Commerce (issue of January 1, 1941, as
supplemented January 1, 1942). Mate-
rials are included in the list to the extent
that they are covered by the commodity
numbers listed below.

Material	Commerce import class No.
Aluminum scrap	6302.3
Antimony	6650.0
	6651.0
	6651.1
	838.180
	838.210
Asbestos, unmanufactured (origi- nating in Rhodesia or Union of South Africa)	5500.0
	5500.1
	5501.0
	5501.1
	5501.9
	5502.1
Babassu nuts and kernels	2239.13
	2239.15
Babassu nut oil	2257.1
Balsa wood:	
Logs	4029.1
Sawed boards, planks, deals, and sawed timber	4118.0
Beryl ore or beryllium ore	6270.0
Beryllium oxide, carbonate and other beryllium salts	838.963
Cashew nut oil and shell oil	2257.2
Cattle, ox, and calf tail hair includ- ing switches	3696.1
Chrome ore (chromite)	6213.0
Coconut oil	2242.5
Cohune nuts and kernels	N.S.C.
Cohune nut oil	N.S.C.
Copper	6417.1
	643.00
	6418.3
Copper and brass scrap	6401.9
	6418.1
	6453.0
	676.02
Copra	2232.0
Corn or maize oil (edible)	1422.0
Corundum and emery in grains, or ground, pulverized, or refined	547.01
Corundum ore	5460.0
Cotton linters, munitions, or chem- ical grades only (Grades 3-6 ac- cording to Department of Agricul- ture Classification)	N.S.C.
Cotton yarns and fabrics as fol- lows:	
Combed SAK cotton yarns, single or piled, in counts of 60's and finer	N.S.C.
Tracing cloth	3970.0
Typewriter ribbon fabric	N.S.C.
Type HH balloon fabric	N.S.C.
Type SS balloon fabric	N.S.C.
Type MM airplane cloth	N.S.C.
Cottonseed hull fibre	N.S.C.
Goat and kid skin furs	0711.4

Material	Commerce import class No.
Hides and skins:	
Cattle hides, dry and wet	0201.0
	0202.0
Buffalo hides, dry and wet	0203.0
	0203.1
Kip, dry and wet	0205.0
	0206.0
Calf, dry and wet	0207.0
	0208.0
Cabretta skins or hair sheep	0235.0
Goat and kidskins, dry and wet	0241.0
	0242.0
Shearings (includes dry and green salted skins)	0231.3
Iron and steel scrap, fit only for re- manufacture	6004.0
	6004.1
Istle or tampico fiber, unmanufac- tured	3405.0
Jute, unmanufactured	3241.0
Jute butts, unmanufactured	3242.0
Kapok	3403.0
Kyanite and sillimanite	593.95
Lead	6504.0
	6505.0
	6506.1
	6506.5
	6506.9
	6507.0
	6509.0
Lead, reclaimed, scrap, dross, etc.	6505.1
Loofa (Luffa) sponges	N.S.C.
Magnesium, metallic and scrap	676.31
Mahogany logs	4031.0
Mahogany, rough (not further man- ufactured than sawed)	4202.1
Mahogany, dressed (sawed and not further manufactured than planed, tongued, and grooved)	4204.1
Mercury-bearing ores and concen- trates	N.S.C.
Mercury or quicksilver (metallic)	6662.0
Meshta fiber	N.S.C.
Metallic beryllium, caesium, lithium and potassium	838.870
Mica	5560.7
	5560.8
	5560.9
	5561.0
	5561.8
	5561.9
	5564.0
	5564.2
	5564.7
Mica splittings	5561.7
Nutgalls or gall nuts	2310.0
Oiticica oil	2255.6
Ouricury (uricury) nuts and kernels	2239.61
	2239.62
Ouricury (uricury) oil	N.S.C.
Palm nut kernels	2236.5
Palm kernel oil	2248.0
Palm oil	2243.0
Pig and hog bristles	0917.0
	0979.1
Rapeseed oil, denatured and not de- natured	2246.0
	2253.0
Shellac (unbleached and bleached)	2107.2
	2108.0
Silver:	
Ores, concentrates, and base bul- lion, valuable chiefly for silver content	6819.5
Bullion, refined	6819.6
Coin, foreign	6819.8
Sweepings and scrap, including silver sulphides	6819.9
Semiprocessed items, valuable chiefly for silver content	N.S.C.
Compounds, mixtures, and salts, valuable chiefly for silver con- tent	N.S.C.
Sperm oil, crude, refined or other- wise processed	0803.0
	0803.1
Tin bars, blocks, pigs, grain, granu- lated or scrap, and alloys, chief value tin	6551.0

Material	Commerce import class No.
Tin-plate scrap.....	674.05
Tung oil.....	2241.0
Tungsten ore and concentrates.....	6232.0
Urena lobata fiber.....	¹ N.S.C.
Vanadium ore.....	6260.0
Zinc, blocks, pigs, or slabs.....	6558.2

¹ N. S. C.—No Separate Class. Commodity number has not yet been assigned by the Department of Commerce, Statistical Classification of Imports.

LIST III

[Attached to General Imports Order M-63, as Amended September 30, 1942]

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1941, as supplemented January 1, 1942). Materials are included in the list to the extent that they are covered by the commodity numbers listed below.

Material	Commerce import class No.
Alfalfa seed.....	2401.0
Agave carpet yarns, dyed or undyed.....	¹ N.S.C.
Argols, tartar and wine lees, and crude calcium tartrate.....	8329.0 8330.0 837.11
Balsams, crude, not containing alcohol.....	2141.0 2141.3 2141.4 2141.5 2141.9
Baskets and bags, wood, straw, etc.....	4221.0 4221.2 4221.5 4221.6 4221.9
Beeswax.....	0972.0 0972.1 0974.0 8505.0
Blood, dried.....	
Bone black, bone char, and blood char.....	099.13
Bones, crude.....	0911.2
Bones, ground, ash, dust, meal, and flour.....	0911.3 4033.0
Boxwood (logs).....	1356.0
Brazil or cream nuts.....	1357.0
Butter.....	0044.0
Cacao butter.....	1420.0
Canary seed.....	2452.0
Candelilla wax.....	2252.2
Carnauba wax.....	2251.0
Caroa fiber.....	4692.8
Caroa yarn.....	¹ N.S.C.
Casein or lactarene.....	0943.0
Cashew nuts and kernels.....	1377.0
Cassia buds, unground.....	1533.0
Cassia, cassia vera, unground.....	1533.1
Cassia, cassia buds and cassia vera, ground.....	155.07
Cheese.....	0045.1-0046.99 inc.
Chicle, crude and refined or advanced.....	2131.0 2189.3
China clay or Kaolin.....	5300.0
Cinnamon and chips of, unground.....	1526.0
Cinnamon and chips of, ground.....	155.03
Cocoa beans or cacao beans.....	1501.3
Coffee, raw or green; roasted or processed.....	1511.0 1511.1
Combinations and mixtures of animal, vegetable, or mineral oils, or any of them, with or without other substances, not specifically provided for.....	226.12

Material	Commerce import class No.
Cotton linters, grades 1 and 2 (other than munitions and chemical grades).....	¹ N.S.C.
Cotton, raw (all staple length).....	3001.0 3003.6 3003.7 3003.8 3006.1 3006.2 3006.31 3006.33 3006.35 3006.6 323.38 323.39 985.902 985.903 985.905
Cotton waste.....	3006.2 3006.2 3006.31 3006.33 3006.35 3006.6 323.38 323.39 985.902 985.903 985.905
Cottonseed oil fatty acids.....	226.22
Dog food.....	1190.7 1190.8
Eggs (chicken).....	0088.1
Ergot.....	221.33
Fabrics woven of agave fiber.....	¹ N.S.C.
Fatty acids and salts from animal oils.....	¹ N.S.C.
Fatty acids, not specifically provided for, derived from vegetable oils, animal or fish oils, animal fats and greases, not elsewhere specified:	
Linseed oil.....	226.21
Soybean oil.....	226.23
Other not elsewhere specified.....	226.24
Fatty alcohols and fatty acids sulphated, not elsewhere specified, and salts of fatty acids sulphated not elsewhere specified.....	226.28
Fish and shellfish and their products:	
Alewives and other pickled or salted fish, n. s. p. f.....	0073.3-0073.9 inc.
Anchovies, canned, in oil or not in oil.....	0067.0
Crabs, fresh or frozen; prepared or preserved.....	0086.4 0086.5
Herring, pickled or salted (all types).....	0070.0-0070.9 inc.
Lobsters, canned and not canned.....	0083.0 0084.0
Tuna fish, fresh or frozen.....	0058.0
Turtles.....	0086.2
Fish scrap and fish meal.....	0976.0, 8509.7
Fluorspar.....	5301.0 5301.1
Fruits:	
Bananas.....	1301.0
Grapefruit.....	1302.0
Grapes, fresh (other than hot-house).....	1318.5
Limes.....	1304.0
Melons.....	133.42 133.43
Peaches, green, ripe, or in brine.....	133.61
Pears, green, ripe, or in brine.....	133.66
Ginger root, unground, not preserved or candied.....	1536.1
Ginger root, ground, not preserved or candied.....	155.08
Glue, except glue size and fish glue (value—under 40¢ lb.).....	0940.1
Goat and kid hair except Angora (mohair) and Cashmere.....	3696.2
Grain and grain preparations:	
Barley malt.....	1080.0
Bran; shorts; and other wheat by-product feeds.....	1181.0
Corn.....	1031.0
Cracked corn.....	109.18
Oats, unground and ground.....	1041.0 1041.1

Material	Commerce import class No.
Grain and grain preparations—Con.	
Rice, broken.....	1059.2
Rye.....	1044.0
Guano.....	8504.0
Hempseed.....	2238.0
Hempseed oil.....	226.03
Hibiscus canabinus or ferox.....	¹ N.S.C.
Hide cuttings, raw.....	0930.8
Hides and skins:	
Horse, colt, and ass.....	0211.1 0211.3 0212.1 0212.2 0212.3 0212.5 0293.1
Raw; deer, buck, or doe.....	
Sheep and lamb skins, except shearlings, cabrettas, etc.:	
Pickled skins, not split, no wool.....	0234.0
Pickled fleshers, split, flesh side.....	0234.1
Pickled skivers, split, grain side.....	0234.2
Slats, dry, no wool.....	0231.7
Other woolled, (wool on) except shearlings.....	0231.5
Honey.....	1654.8
Hydrogenated or hardened oils and fats, vegetable or animal.....	226.10
Ilmenite (including ilmenite sand).....	6270.1
Iodine.....	8300.0 838.630
Iron ore.....	6001.0
Kola nuts.....	221.49
Lamb and sheep fur.....	0711.3
Leather.....	0300.1-0345.9 inc.
Lignaole oil or Bois de Rose.....	228.27
Mace, unground.....	1540.0
Mace, ground.....	155.09
Mace, Bombay or wild, unground.....	1549.2
Mace, Bombay or wild, ground.....	155.10
Mandoica flour.....	¹ N.S.C.
Mate.....	221.57
Maté, Yerba, advanced in value or condition (Paraguay tea).....	177.90
Meat products:	
Beef and veal, pickled or cured.....	0029.0
Beef, canned, including corned beef.....	0028.0
Meat extracts, including fluid.....	0096.0
Offal, edible.....	0023.6
Pork, hams, shoulders, bacon, sausage; prepared, cooked, boned, canned, etc.....	0030.9 0031.9
Sausage casings, sheep and lamb and goat only.....	0034.0
Sausage casings, other.....	0035.5
Milk, condensed and evaporated.....	0040.0 0040.1 0040.7
Molasses, edible and inedible.....	163.48- 1640.0 inc.
Monazite sand and other thorium ore.....	593.30
Nitrates, Sodium and Potassium.....	8506.0 8527.5 8527.9
Nutmegs, unground.....	1539.0
Nutmegs, ground.....	155.11
Oil cake and oil cake meal, made of cottonseed, peanut, hempseed, and others (except coconut or copra, soybean, and linseed).....	1114.0 1119.6-1119.9 inc.
Oleo stearin.....	0036.2
Ouricury (uricury) wax.....	¹ N.S.C.
Paper base stock:	
Rags for paper stock.....	4691.0
Waste bagging, gunny cloth and bags.....	4692.0
Grasses, fibers, waste, shavings, clippings, etc.....	4692.9
Piassava fiber.....	¹ N.S.C.

Material	Commerce import class No.
Pigeons (all types)-----	¹ N. S. C.
Pimento (allspice), unground-----	1543.0
Pimento (allspice), ground-----	155.13
Rapeseed-----	2237.0
Salts derived from vegetable oils, animal oils, fish oils, animal fats and greases, not elsewhere speci- fied, or from fatty acids thereof-----	226.26
Sesame oil-----	1428.2
Sesame seed-----	2249.0
Soap (except Castile) and soap powder-----	2234.0
Soap bark seed or quillaya-----	8712.3-8719.9 inc.
Sugar, cane-----	221.82
Sunflower seed-----	161.75-161.00 inc.
Tallow, vegetable-----	2240.0
Tankage-----	2250.0
Tanning materials and coloring agents-----	0975.0
Annatto and annatto extracts-----	8509.6
Mangrove bark-----	232.00
Quebracho wood-----	232.18
Tanning extracts (other than those listed on List I)-----	2305.0
Wattle bark-----	2345.9
	2309.0
Material	Commerce import class No.
Tapioca, tapioca flour, and cas- sava-----	1228.0
Tea, not specially provided for-----	1521.0
Tobacco, unmanufactured 2601.0-2610.0 inc.	
Tonka beans-----	1548.0
Vanilla beans-----	1545.0
Vegetable ivory or tagua nuts-----	2911.0
Vegetable soapstock-----	¹ N. S. C.
Other vegetable oil foots-----	¹ N. S. C.
Vegetables-----	
Beans, dried-----	1192.0
Chickpeas and garbanzos, dried-----	1200.0
Garlic-----	1205.0
Lentils-----	1199.0
Lupines-----	1199.1
Onions, edible-----	1208.1
Peas, dried and split-----	1197.0
	1198.0
Wool and related fibers-----	
Alpaca, llama, and vicuna hair-----	3535.0-3535.4 inc.
Apparel wool, 44's or coarser -----	3506.0-3509.3 inc.
	3513.0-3514.3 inc.
	3524.0-3525.3 inc.
Carpet wool-----	3501.0-3502.3 inc.
Mohair-----	3530.0-3530.4 inc.
Wool noils and wastes-----	3550.0-3553.7 inc.

INTERPRETATION 1

No authorization under paragraph (b) of the order is necessary for the release or withdrawal of materials on List II or List III from a free port, a free zone, or the bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States regardless of the date when such materials first entered such place. The actual importation, which is the subject of restriction under paragraph (b), is deemed to have occurred before the question of release or withdrawal arises. Also, no authorization under paragraph (d) of the order is necessary for the subsequent disposition, processing, or shipment of such released or withdrawn List II and List III materials.

As to List I materials which are similarly situated, no authorization under paragraph (b) of the order is necessary for their release or withdrawal from free port, free zone, or

bonded custody, but authorization under paragraph (d) of the order is necessary for their subsequent disposition, processing, or shipment unless they are shipped in bond to Canada, Mexico, or some other foreign country, in which event the foreign destination is deemed to be the place of initial storage as such term is used in the order.

[F. R. Doc. 42-10244; Filed, October 12, 1942; 11:45 a. m.]

PART 1052—KITCHEN, HOUSEHOLD AND OTHER MISCELLANEOUS ARTICLES

[Limitation Order L-30, as Amended September 30, 1942¹]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron and steel and other materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1052.1 General Limitation Order L-30—(a) Definitions. For the purposes of this order:

(1) "Group I products" means the following: kitchen utensils used primarily in the preparation, cooking, and storage of foods for household, institutional, and commercial uses (except those utensils mentioned in paragraphs (a) (2), (a) (3) and (b) (4)).

(2) "Group II products" means the following kitchen, household, and other miscellaneous articles (whether manufactured for household or for any other purpose): wash basins, dish pans, rinsing pans, wash boilers, ash cans, garbage cans and pails (including step-on cans), wringer buckets, clothes wringers, pails (except dairy pails), commodes, chambers and chamber covers, combinets, bread boxes, funnels, liquid measures, galvanized and other portable tubs, wash boards, ironing boards, carpet sweepers, dust pans, refrigerator pans, and all kitchen tools, including (but not limited to) can openers, jar openers, bottle openers, beaters, ice cream dippers or scoops, corers, and mashers.

"Group II products" shall not include: (i) Any pail or tub designed expressly for use as a packing or shipping container; or (ii) any pail or tub which contains metal in only hoops, balls, ears and handles, provided that the total weight of such metal does not exceed 15% of the total weight of the pail or tub, and further provided that any such pail does not have more than two hoops and that any such tub with a capacity of less than 15 gallons does not have more than two hoops.

(3) "Group III products" means the following kitchen, household, and other miscellaneous articles (whether manufactured for household or for any other purpose): all closet accessories, including, but not limited to, coat and garment hangers and hooks, tie racks, and boot and shoe-trees, but excluding any paper board or wood garment and cloak hanger, the only scarce material content of which is a steel wire hook; all articles

of fireplace equipment except fire screens, grates and dampers; towel bars and racks, tooth brush holders, soap dishes, soap savers, toilet and other paper holders, pot chains, fly swatters, sink drainers, dish drainers, cuspidors, vegetable bins, curtain rods, fixtures, and drapery attachments, clothes-pins, candlesticks, carpet beaters, pot cover holders, picnic stoves, camp grids, cup frames, and cake coolers.

(4) "Scarce materials" means the following: iron, steel, tin, aluminum, nickel, copper and copper base alloys, chromium and lead.

(5) "To use" a material means to put that material into production for the first time. (When a person is limited to a percentage of the material used in a base period, this limitation applies to the aggregate weight of such material when first put into production by that person, whether in the form of raw materials or as purchased parts.)

(6) "Manufacturer" means any person who produces or assembles any Group I, Group II, or Group III product.

(7) "Base period" means the twelve months ending June 30, 1941.

(8) "Material" means any commodity, equipment, accessory, part, assembly or product of any kind used in the production of any Group I, Group II or Group III product.

(9) "Supplier" means any person who delivers material to a manufacturer or to another supplier.

(10) "Manufacturer's inventory" means raw materials, semi-processed materials or finished parts for use in the production of any Group I, Group II or Group III product, which prior to April 1, 1942 were either in the physical possession of the manufacturer or in the physical possession of a supplier, earmarked on a firm commitment for delivery to a manufacturer pursuant to a contract or commitment made prior to April 1, 1942.

(b) General restrictions. (1) During the period from the date of issuance of this order to the last day of the calendar month in which it is issued, inclusive.

(i) The average daily use of iron and steel by any manufacturer in his total production of Group I, Group II and Group III products shall not exceed his average daily aggregate use of scarce materials in the production of such products during the base period, and

(ii) The average daily use of zinc by any manufacturer in his total production of Group II and Group III products shall not exceed his average daily use of zinc in the production of such products during the base period, *Provided*, That a manufacturer may use more than his quota of iron and steel or zinc under this subparagraph if, but only if, he reduces his corresponding quota under subparagraph (2) by an equivalent amount of iron and steel or zinc.

(2) During the three months' period beginning with the first day of the first calendar month following the date of issuance of this order, no manufacturer shall use

¹ This document is a restatement of Amendment 6 to M-63, which appeared in the FEDERAL REGISTER of October 1, 1942, page 7773, and reflects the order in its completed form as of September 30, 1942.

(i) More iron and steel in his total production of:

(a) Group I products than 22½ per cent of his aggregate use of scarce materials in the production of such products in the base period;

(b) Group II products than 17½ per cent of his aggregate use of scarce materials in the production of such products in the base period; or

(c) Group III products than 12½ per cent of his aggregate use of scarce materials in the production of such products in the base period;

except that a manufacturer may use in the production of Group I or Group II products any part of his quota of iron and steel for Group III products, and may use in the production of Group I products any part of his quota of iron and steel for Group II products: *Provided*, That he reduces his quota of iron and steel for Group III or Group II products, as the case may be, by an equivalent amount.

(ii) More zinc in his total production of Group II and Group III products than 12½ per cent of the zinc used by him in the production of such products during the base period.

(3) Effective the first day of the fourth calendar month following the date of issuance of this order, no manufacturer shall use any scarce materials or other metals in the production of Group III products.

(4) Nothing in this order shall limit the manufacture or production of electrical appliances, cutlery, and silver plated hollow-ware.

(5) Nothing in this order is intended in any way to prohibit a manufacturer from using a minimum amount of iron or steel for such nuts, nails, bolts, screws, clamps, rivets, and other joining hardware as are required to manufacture or assemble any Group I, II, or III product: *Provided, however*, That the aggregate weight of all joining hardware entering into any Group I, II, or III product shall not exceed 5% of the total weight of such product, when completed.

(6) Notwithstanding the provisions of paragraph (b) (2), any manufacturer may use in the production of carpet sweepers up to and including June 30, 1942, any iron or steel which was in such manufacturer's inventory and which had been so fabricated or processed prior to April 1, 1942 that it could not be used for any purpose other than the production of carpet sweepers for which it was originally fabricated or processed. On and after July 1, 1942, no manufacturer shall use any scarce materials in the production of carpet sweepers.

(7) Notwithstanding the provisions of paragraph (b) (2), any manufacturer may use in the production of curtain rods and fixtures and drapery attachments up to and including June 30, 1942.

(i) Any iron or steel which was in such manufacturer's inventory and which had been so fabricated or processed prior to April 1, 1942 that it could not be used for any purpose other than the production of curtain rods and fixtures and drapery attachments; and

(ii) Any steel designed for use in the production of curtain rods and fixtures

and drapery attachments, which was in such manufacturer's inventory and had a paint or enamel coating prior to April 1, 1942.

(8) During the month of July, 1942, no manufacturer shall use:

(i) More iron and steel in his total production of:

(a) Group I Products than 90% of his average monthly use of scarce materials in the production of such products in the base period, or

(b) Group II Products than 70% of his average monthly use of scarce materials in the production of such products in the base period,

except that a manufacturer may use in the production of Group I Products any part of his quota of iron and steel for Group II Products, provided that he reduces his quota of iron and steel for Group II Products by an equivalent amount; or

(ii) More zinc in his total production of Group II Products than 50% of his average monthly use of zinc in the production of such products during the base period

(9) During the period of two months beginning August 1, 1942, no manufacturer shall use more iron and steel in his total production of:

(i) Group I products than two times 70% of his average monthly use of scarce materials in the production of such products in the base period, or

(ii) Group II products than two times 50% of his average monthly use of scarce materials in the production of such products in the base period,

except that a manufacturer may use in the production of Group I products any part of his quota of iron and steel for Group II products: *Provided*, That he reduces his quota of iron and steel for Group II products by an equivalent amount.

(10) During the month of October 1942 no manufacturer shall use more iron and steel in his total production of:

(i) Group I products than 70% of his average monthly use of scarce materials in the production of such products in the base period, or

(ii) Group II products than 50% of his average monthly use of scarce materials in the production of such products in the base period,

except that a manufacturer may use in the production of Group I products any part of his quota of iron and steel for Group II products: *Provided*, That he reduces his quota of iron and steel for Group II products by an equivalent amount.

(c) *Avoidance of excessive inventories.* Manufacturers of Group I, Group II and Group III products shall not accumulate for use in the manufacture of such products, inventories of raw materials, semi-processed materials, or finished parts in quantities in excess of the minimum amount necessary to maintain production of such products at the rates permitted by this order.

(d) *Records.* All persons affected by this order shall keep and preserve for

not less than two years accurate and complete records concerning inventories, production and sales.

(e) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(f) *Reports.* Each manufacturer to whom this order applies shall file with the War Production Board such reports and questionnaires as said Board shall from time to time prescribe.

(g) *Violations.* Any person who willfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order may be prohibited from receiving further deliveries of any materials subject to allocation, and such further action may be taken as is deemed appropriate, including a recommendation for prosecution under section 35 (A) of the Criminal Code (18 U.S.C. 80).

(h) *Applicability of other orders.* Insofar as any other order issued, or to be issued hereafter, limits the use of any material in the production of Group I, Group II and Group III products to a greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein.

(i) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a serious problem of unemployment in the community, or that compliance therewith would disrupt or impair a program of conversion from non-defense to defense work, may apply for relief by addressing a letter to the War Production Board setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(j) *Application of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(k) *Routing of correspondence.* All reports to be filed, appeals, and other communications concerning this order should be addressed to the War Production Board, Washington, D. C., Ref: L-30.

(l) *Effective date.* This order shall take effect on the date of its issuance, and shall continue in effect until revoked.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561, E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of September 1942.

ERNEST KANZLER,

Director General for Operations.

[F. R. Doc. 42-10245; Filed, October 12, 1942; 11:44 a. m.]

PART 1090—AGAVE FIBER

[General Preference Order M-84, as Amended September 25, 1942¹]

Whereas the uncertainty of future shipments of agave fiber from abroad and national defense requirements for agave cordage and agave twine have created a shortage thereof for defense and for private account and for export, and it is necessary in the public interest and to promote the defense of the United States, to conserve the supply and direct the distribution thereof;

Now, therefore, it is hereby ordered, That:

§ 1090.1 General Preference Order M-84—(a) Definitions. For the purposes of this order:

(1) "Agave fiber" means agave fiber of the species of agave sisalana, agave fourcroydes, and agave cantala, of all grades and qualities including tow, waste, and fiber under 20" in length, commonly known in the trade as sisal, henequen, cantala and maguey, and sometimes preceded by an adjective designating the country or district of origin.

(2) "Agave cordage" means cables and ropes 3/16" in diameter and larger, and twines used for fishing nets, in which agave fiber either alone or in combination with other material is used.

(3) "Processor" means any person who spins, twists, weaves or otherwise uses agave fiber in the production of cordage, twine or any other product.

(4) "Processing" means any use of agave fiber for the manufacture of any article or commodity into which agave fiber goes or of which it becomes a part.

(5) "Dealer" means any person who procures agave cordage or agave twine for storage or for sale, and includes selling agents and other commercially recognized agents acting for their own account or for others, whether or not acquiring title to such agave cordage or agave twine, but shall not include any person who imports agave cordage and/or agave twine.

(6) "Wrapping twine" means twine, including lath yarns (ply and yarn goods) as included in National Bureau of Standards Simplified Practice Recommendation R 92-38, and any other twine suitable

for the same purposes for which those twines described in said Simplified Practice Recommendation R 92-38 are used, which contains agave fiber, but shall not include binder twine.

(7) "Binder twine" or "binding twine" means a single yarn twine, manufactured of agave fiber of the type customarily heretofore manufactured and sold in lengths measuring 500 feet, 550 feet, 600 feet or 650 feet to the pound, with a plus or minus tolerance of 5 per centum, containing a lubricant of not less than 10 per centum of the total weight of the twine and an insect repellent, and which is put up in balls of approximately 5 or 8 pounds each, is suitable for use with a harvesting machine, and is used in the harvesting of agricultural products.

(8) "Inventory" with respect to any person shall include all of any agave product held or controlled by such person at all warehouses, plants or places of storage, but shall not include any of such product while actually in transit or actually in use.

(9) "Supply" means the average monthly amount of any agave product withdrawn from inventory which has been resold or put into actual use:

(i) In the three calendar months preceding the calendar month for which supply is being calculated; or,

(ii) In the three calendar months of the previous year which immediately followed the calendar month of that year corresponding to the said calendar month for which supply is being calculated;

whichever of the two shall be the higher.

(10) "Basic monthly poundage" with respect to any cordage processor for any month shall be the average number of pounds per month of both Manila and agave cordage sold by such processor during the period from January 1, 1939, to December 31, 1941, minus 37% of such person's Manila fiber basic monthly poundage calculated as required by General Preference Order M-36: *Provided*, That any cordage processor keeping his books on a weekly basis may calculate his basic monthly poundage from the fifty-two week period of the 1939 calendar year and adjust any other calculations or quotas under this order.

(b) *Restrictions on sales and deliveries of agave fibers.* No person shall sell, or deliver, or make or accept delivery of agave fiber of any grade or quality; except that purchases, sales and deliveries of agave fiber may be made:

(1) By and to Defense Supplies Corporation.

(2) By and to persons importing or otherwise handling agave fiber in accordance with written instructions from Defense Supplies Corporation, provided, that such agave fiber is to be delivered, either processed or unprocessed, directly or through one or more other persons to Defense Supplies Corporation.

(3) By and to importers, dealers, jobbers, or processors, pursuant to contracts entered into on or before February 20, 1942, but only of agave fiber in the amounts specified in such contracts on or before the said date, or by any amendments or supplements thereto on or before August 5, 1942: *Provided, however*, That purchases, sales and deliveries under general requirements contracts or contracts to take all, or a specified percentage of a production may continue to be made until December 31, 1942.

(4) By and to importers, dealers, jobbers, or processors of agave fiber which has been rejected by Defense Supplies Corporation as unfit for its use.

(5) By and to importers, dealers, jobbers or processors of tow, waste, bagasse flume or fiber less than 20 inches in length, provided that such fiber was on hand in the United States on February 20, 1942, or was, or is thereafter imported into the United States pursuant to this paragraph (b).

(6) By processors to processors whether directly or through one or more other persons of agave fiber which was on hand in the United States on or before August 5, 1942, or which is thereafter imported into the United States pursuant to this paragraph (b).

(c) *Restrictions on the processing of agave fibers.* (1) Except as provided in paragraphs (c) (2), (3) and (4), no person shall process any agave fiber in the manufacture of any product except the products specified below, and then only from the fibers and in the amounts expressly permitted below. The quotas hereinbelow established shall include processing for delivery to or for physical incorporation into material or equipment to be delivered to, or for the account of, the Army of the United States, the United States Navy, the United States Maritime Commission, or the War Shipping Administration, or their general or operating agents.

(i) *Wrapping twine.* Processors may use agave fiber for the manufacture of wrapping twine in an amount in any month not in excess of the percentage, for such month, of his average monthly

¹ This document is a restatement of Amendment 3 to M-84 as amended August 5, 1942, which appeared in the FEDERAL REGISTER of September 29, 1942, page 7661, and reflects the order in its completed form as of September 25, 1942.

sales for the calendar year 1941 described below:

Year 1942:	Percent
February-----	100
March-----	70
April-----	65
May-----	65
June-----	57½
July-----	50
August-----	40
September-----	20
October, and each month thereafter--	0

Provided, however, That no person shall put into process after April 13, 1942, any Java agave sisalana for the manufacture of wrapping twine, or after August 5, 1942, any Java agave cantala for this purpose.

(ii) *Binder twine.* Processors may use agave fiber, in an amount not in excess of:

(a) During the eleven months ending June 30, 1942, an amount which, when added to binder twine in his stocks on November 1, 1941, equals 120% of that processor's total sales of binder twine in the United States during the twelve months ending October 31, 1941;

(b) During the four months commencing July 1, 1942, and ending October 31, 1942, an amount which equals 40% of that processor's total sales of binder twine in the United States during the twelve months ending October 31, 1941:

Provided, however, That no person shall put into process binder twine containing any Java agave sisalana after April 13, 1942, or any Java agave cantala after August 5, 1942; And *provided further,* That the Director General for Operations may increase pro rata the amount of agave fiber which processors may be allowed to process into binder twine, if, in the Director's opinion, additional amounts of binder twine are needed to provide for the growing or harvesting of agricultural food products or sewing up bags containing such products.

(iii) *Carpet yarns.* Processors may use agave fiber for manufacturing carpet yarns, if such fibers had actually been put into process for such purpose on or before February 20, 1942.

(iv) *Padding or stuffing.* Processors manufacturing padding or stuffing may use for that purpose only bagasse waste except on orders to be delivered to or for the account of, or to be physically incorporated into material or equipment to be delivered to, or for the account of, the Army of the United States, the United States Navy, the United States Maritime Commission or the War Shipping Administration, or their general or operating agents, in which case tow, waste, and fibers less than 20" in length may be used.

(v) *Reinforced paper, tape and plastics.* Processors manufacturing reinforced paper, tape and plastics may use any agave fibers except Java sisalana and Java cantala, but only in an amount not in excess of 50% of the fiber content of their average monthly sales of such products for the twelve months ended June 30, 1942.

(vi) *Agave cordage.* Processors manufacturing agave cordage shall not put into process in any of the periods listed below an amount of agave fiber in excess of the amounts hereinafter specified for such period:

Periods	Amounts of Agave fiber
July 1, 1942, through December 31, 1942	12.2 times basic monthly poundage.
Each calendar quarterly period in 1943	5.3 times basic monthly poundage.

Provided, That the amount of agave fiber which may be put into process by any cordage processor in any such period shall be:

(a) *Diminished* by the amount of any additional Manila fiber which may be put into process by such cordage processor during such period pursuant to any exceptions or additional authorizations issued by the Director General for Operations pursuant to General Preference Order No. M-36;

(b) *Increased* by the difference, if any, between the amount of Manila fiber permitted to be put into process by such cordage processor pursuant to General Preference Order M-36, and any lesser amount of Manila fiber actually put into process by such cordage processor during such period, and

(c) *Increased* by any or all of the said processor's permitted amount of agave fiber for use in the manufacture of wrapping twine as provided in paragraph (c) (1) (i).

(2) A person may process agave fiber in the manufacture of a product not specified in paragraph (c) (1), for delivery to, or for the account of, or for physical incorporation into material or equipment to be delivered to, or for the account of, the Army of the United States, the United States Navy, the United States Maritime Commission or the War Shipping Administration, or their general or operating agents.

(3) The prohibitions of paragraph (c) (1) shall not apply to the manufacture of wrapping twine, binder twine, agave cordage, reinforced paper, tape, or plastics from tow, waste, or fiber under 20" in length.

(4) Any processor who, by reason of the foregoing limitations is unable to meet his required deliveries under contracts existing on August 5, 1942, of agave cordage to be delivered to, or for the account of, the Army of the United States, the United States Navy, the United States Maritime Commission, the War Shipping Administration, or its general or operating agents, or any processor of agave cordage who, by reason of meeting the requirements of any such contracts, is required to reduce his operations during the period July 1, 1942, through December 31, 1942, to such an extent that it will cause serious labor displacement, may apply to the War Production Board for permission to process such additional amounts of agave fiber as may be necessary to enable him to meet his said required deliveries. Each

application must be filed on or before August 31, 1942, and must state:

(i) Each contract held by the said processor of the type mentioned above, (ii) The deliveries per month required thereunder,

(iii) The total deliveries per month required under all such contracts,

(iv) The amount of agave fiber processed by such person in May, 1942,

(v) The amount of agave fiber permitted to be processed during the period July 1, 1942, through December 31, 1942, by such processor under the foregoing limitations, and

(vi) The exact amount of relief desired during the said period.

(5) The Director General for Operations may, whenever supplies of agave fiber on hand in the United States and available for future purchase by the United States warrant, increase pro rata the amounts of agave fiber which may be entered into process for the manufacture of agave cordage or for such other products as in the judgment of the Director General for Operations may be necessary to promote the national defense and in the public interest.

(d) *Restrictions on purchases, sales and deliveries of agave cordage and wrapping twine.* (1) No dealer shall order, purchase or accept deliveries of any wrapping twine or agave cordage which will result in such dealer having in inventory an amount thereof in excess of a two months' supply.

(2) No person (other than a dealer, the Army of the United States, the United States Navy, or the United States Maritime Commission, and the War Shipping Administration, and its general or operating agents) shall order or accept delivery of any wrapping twine or agave cordage which will result in such person having in inventory an amount thereof in excess of one and one-half months' supply; and no such person shall have outstanding at any one time orders for future deliveries of wrapping twine or agave cordage in excess of one month's supply for such person.

(3) No importer shall sell or deliver in any month agave cordage in excess of his average monthly sales of Manila and agave cordage in the calendar years 1939-1941, or wrapping twine, imported or domestic, in excess of the following percentages of his average monthly sales thereof during the calendar year 1941:

	Percent
July-----	65
August-----	40
September, and each month thereafter-----	20

Provided, however, That no importer shall, after September 30, 1942, import, purchase for import, offer to import, offer to purchase for import, contract or otherwise arrange to import any wrapping twine unless specifically authorized by the Director General for Operations. Authorizations will only be granted, in the absence of extraordinary circumstances, where it can clearly be demon-

strated that such wrapping twine was processed only from tow, waste or fiber under 20" in length.

(4) Nothing in this paragraph shall prevent the orderly advance accumulation of a supply of wrapping twine to meet an expected seasonal demand for agricultural purposes, provided that the total amount so accumulated shall not be in excess of the amount estimated to be necessary for use for such purpose based on the most recently available crop forecasts of the Department of Agriculture.

(5) On and after September 26, 1942, to and including December 31, 1942, no processor shall process agave fiber for cordage or sell or deliver any agave cordage except for filling purchase orders for the following categories of uses:

(i) Class One—(a) Use by the United States Army and Navy, the United States Maritime Commission, Federal Barge Lines, the Panama Canal, the War Shipping Administration and its general or operating agents, or for physical incorporation into material or equipment (excluding grommets and ammunition box handles) to be delivered to and for the account of any of the foregoing agencies;

(b) Use upon any contract or order placed by any department or agency of the United States Government for delivery to or for the account of the Government of any country pursuant to the Act of March 11, 1941, entitled "An Act to promote the Defense of the United States" (Lend-Lease Act).

(ii) Class Two—(a) Commercial marine, towage or lighterage uses, provided the cordage for such uses shall be one inch or more in diameter;

(b) Fishing uses for commercial fish markets or canneries;

(c) Use as catlines, bull-ropes and drilling cables in the operation or drilling of oil or gas wells;

(d) Use as drilling cables in mines or quarries;

(e) Power transmission uses;

(f) Shipyard or construction rigging uses.

(6) Each purchaser of agave cordage from a processor shall furnish a certificate as a condition to receiving said cordage, and no processor shall sell or deliver any agave cordage to such purchaser without obtaining a certificate

signed by such purchaser or his duly authorized representative, in substantially the following form:

The undersigned hereby represents to the seller and the War Production Board that the agave cordage covered by this certificate will be used or sold only for the uses described in paragraph (d) (5) of General Preference Order M-84 as amended September 25, 1942, with the terms of which the undersigned is familiar.

(7) During the period beginning September 26, 1942, to and including December 31, 1942, no processor shall put into process any agave fiber for the purpose of filling purchase orders for Class Two cordage uses, as specified in paragraph (d) (5) (ii) hereof, in excess of 20% of the unprocessed balance of his processing quota as established under paragraph (c) hereof as said balance may appear at the close of business on September 25, 1942.

(e) Restrictions on purchases, sales and use of binder twine. No person shall hereafter sell, purchase, deliver, accept delivery of or use any binder twine except for the growing or harvesting of agricultural products or for sewing up bags containing such products, and any person purchasing any binder twine shall endorse on, or attach to his purchase order or delivery receipt therefor, a statement signed by such person, or on his behalf by a duly authorized individual, a certificate in substantially the following form:

The undersigned hereby represents that the binder twine covered by this certificate will be either resold or used by the undersigned, during the next twelve months, for and only for one or more of the uses specified in paragraph (e) of General Preference Order No. M-84 (for 1942 growing, harvesting or bagging requirements).

(f) Control of stocks of agave fiber. Control is hereby taken of the distribution and use of agave fiber. Any agave fiber at any time hereafter in the inventory of any person shall be sold and delivered by such person if, and as, specifically directed in any order of the Director General for Operations which may be issued whenever the Director General for Operations shall determine that a shortage of any particular grade of agave fiber for defense, or for private account and for export, renders it necessary or appropriate so to allocate such agave fiber in the public interest, or to promote the national defense by so directing its sale and delivery by such person. Any such sale shall be made at the established prices and terms of sale and payment therefor. No person

shall dispose of or use agave fiber in any manner inconsistent with any such order.

(g) Reports. Each person affected by this order shall execute and file with the War Production Board such reports and questionnaires as may be required by said Board from time to time.

(h) Records. All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(i) Appeal. Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of agave fiber conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the War Production Board by letter or telegram, Reference M-84, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(j) Communications to War Production Board. All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Branch, Washington, D. C. Reference: M-84.

(k) Violations. Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(l) Applicability of priorities regulations. This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 25th day of September 1942.

ERNEST KANZLER,

Director General for Operations.

[F. R. Doc. 42-10246; Filed, October 12, 1942; 11:46 a. m.]

PART 1102—REPAIR, MAINTENANCE, AND
OPERATION OF PLANTS PROCESSING OR
PRODUCING DAIRY PRODUCTS

[Preference Rating Order P-118 as Amended
September 29, 1942¹]

§ 1108.1 *Preference Rating Order*
P-118—(a) *Definitions.* For the purposes
of this order:

(1) "Processor" means any person located in the United States, its territories or possessions, engaged in one or more of the following capacities to the extent that he is so engaged:

(i) Pasteurizing milk,
(ii) Receiving milk from other persons for cooling preparatory to reshipment for further processing.

(iii) Producing dairy products, for sale, by processing milk or cream in a plant not located on the farm where the milk was produced;
or any person, located in the Dominion of Canada, to whom and in whose name a copy of this order is specifically issued.

(2) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind.

(3) "Maintenance" means minimum upkeep necessary to enable the processor's existing plant and equipment to be used at its maximum rate of operation permissible under any applicable orders.

(4) "Repair" means restoration of a processor's machinery, plant or equipment to sound working condition within a reasonable time after physical depreciation, wear and tear, damage, destruction of parts or the like have impaired its fitness for service but not to an extent involving major reconstruction.

(5) "Material required for operation" means operating supplies to be consumed in the course of a processor's operations but not to be physically incorporated in the finished products nor used as packaging or fuel.

(6) "Replacement" means substitution of new machinery or equipment for existing machinery or equipment which is beyond economic repair: *Provided*, That such substitution is made within a reasonable time after such condition develops: *And provided further*, That the replacement is not of greater productive capacity than the replaced machinery or

equipment except to the minimum possible extent when a replacement of equivalent capacity is obsolete, unobtainable, or not obtainable within a reasonable time in relation to the processor's operating needs.

(7) "Addition and expansion" means introduction of additional plant or equipment, other than replacements, to increase the productive capacity of a processor's existing plant or equipment.

(8) "Supplier" means any person with whom a contract or purchase order has been placed for delivery of material to a processor or to another supplier.

(b) *Assignment of preference ratings.* Preference ratings are hereby assigned as follows, subject to the restrictions and conditions of paragraphs (d) and (e) hereof:

(1) A-1-j to deliveries, to a processor, of material required for maintenance or repair, or which will be physically incorporated into material which will be delivered for such use.

(2) A-3 to deliveries, to a processor, of material required for operation or replacement, or which will be physically incorporated into material which will be delivered for such use, excluding, however, any material for addition or expansion.

(3) For the purposes set forth in paragraphs (1) and (2) herein, the ratings therein assigned are also assigned to deliveries to any supplier of material which will be delivered by him or another supplier to the processor under the ratings assigned above, or which will be physically incorporated into material which will be so delivered, or which will be used, within the limitation of paragraph (d) hereof, to replace in such supplier's inventory material which is delivered by him under either of the ratings assigned above: *Provided, however*, That no supplier engaged in the business of manufacturing machinery may apply or extend a rating hereunder in order to obtain delivery of material to be used by him in the manufacture of machinery or parts whether or not to be physically incorporated in such machinery.

(c) *Persons entitled to apply preference ratings.* The preference ratings hereby assigned may, in the manner and to the extent hereby authorized, be applied by:

(1) A processor: *Provided, however*, That if the material is for replacement, the rating may be applied by the processor only after specific advance approval of the Director General for Operations pursuant to paragraph (e) of this order;

(2) Any supplier of material to the delivery of which a preference rating has been applied as provided in paragraph (c), and subject to the limitations of paragraph (b) (3) of this order;

Provided, That the preference ratings hereby assigned may not be applied to deliveries of any material to be used for purposes prohibited by any order or regulations issued by the Director General for Operations.

(d) *Restrictions on use of ratings—*

(1) *Restrictions on processor.* (i) Every contract and purchase order for material, to which a preference rating is to be applied hereunder, must specify the date or dates by which delivery is required, and the preference rating may be applied only to such material, or portion thereof, which, under the contract or purchase order, is to be delivered to the processor for his operations during the period from April 18, 1942, to the date of the expiration of this order. The processor may apply the ratings only to those quantities and kinds of material essential to enable him to maintain his production schedules for that period.

(ii) The processor shall not apply any preference rating assigned by paragraph (b) above if, in view of the current rate of consumption of his inventory or stores for repair and maintenance or operation, the delivery of the material to be rated would increase such inventory or stores above the minimum permitted or provided in paragraph (f) below.

(iii) The processor shall not apply any preference rating hereunder unless the material to be delivered cannot be secured when required without such rating.

(2) *Restrictions on supplier.* (i) No supplier may deliver material pursuant to a rating, applied to him by a processor located in the Dominion of Canada, unless the endorsement on the purchase order placed with such supplier includes a serial number.

(ii) No supplier may apply the rating to obtain material in greater quantities or on earlier dates than required to enable him to make on schedule a delivery rated hereunder, or, within the limitations of subdivisions (iii) and (iv) of this subparagraph, to replace in his inventory material so delivered. He shall not be deemed to require such material if he can make his rated delivery and still retain a practicable working minimum inventory thereof; and, if, in making such delivery, he reduces his inventory below such minimum, he may apply the rating only to the extent necessary to restore his inventory to such minimum.

¹This document is a restatement of Amendment 3 to P-118 which appeared in the FEDERAL REGISTER of September 30, 1942, page 7730, and reflects the order in its completed form as of September 29, 1942.

(iii) A supplier who supplies material which he has in whole or in part manufactured, processed, assembled, or otherwise physically changed may not apply the rating to restore his inventory to a practicable working minimum unless he applies the rating, subject to the limitations of paragraph (b) (3) of this order, before completing the rated delivery which reduces his inventory below such minimum.

(iv) A supplier who supplies material which he has not in whole or in part manufactured, processed, assembled, or otherwise physically changed, may, in restoring his inventory to a practicable working minimum, defer applications of the rating hereunder to purchase orders or contracts for such material to be placed by him until he can place a purchase order or contract for the minimum quantity procurable on his customary terms: *Provided*, That he shall not defer the application of any rating for more than three months after he becomes entitled to apply it.

(e) *Application of preference rating.*

(1) A processor or any supplier, in order to apply the preference ratings assigned hereunder to deliveries to him, must, (i) endorse on each purchase order or contract which is covered by a rating assigned hereunder, a statement in the following form, signed, manually or as provided in Priorities Regulation No. 7 (Part 944), by an official duly authorized for such purpose, specifying the rating assigned:

Preference Rating A ----- is applied hereto under Preference Rating Order No. P-118, with the terms of which order the undersigned is familiar.

(Name of processor or supplier and serial number, when required)

By -----
(Duly authorized official)

Such endorsement shall constitute a representation to the War Production Board and the supplier with whom the purchase order or contract is placed that such purchase order or contract is duly rated in accordance herewith. Such supplier shall be entitled to rely on such representation, unless he knows or has reason to believe it to be false. Any such purchase order or contract shall be restricted to material, the delivery of which is rated in accordance herewith.

(ii) If the material is required for replacement, the processor shall not apply preference rating A-3, unless he shall have communicated with the War Production Board, describing the material needed and the nature of the proposed replacement, and shall have received from the Director General for Operations a specific authorization to apply such rating. Such application for authorization may be made by a written statement on Form PD-414 or, in any emergency, by telegram giving substantially the information called for by said Form PD-414.

(2) With respect to a purchase order or contract placed before the effective date of this order, and subject to the restrictions in paragraphs (e) (1) (ii) and

(iii) of this order, a preference rating may be applied by delivering to the supplier a copy of such purchase order or contract endorsed as provided above.

(3) A supplier who has received from two or more processors or suppliers endorsed purchase orders or contracts for material to the delivery of which the same rating has been applied in accordance with this order, may include in a single purchase order or contract, and (within the limitations of paragraph (b) (3) of this order) may apply the rating to any or all of the material which he in turn requires to make such rated deliveries or to replace in his inventory material so delivered.

(f) *Inventory provisions.* A processor who applies a rating hereunder to deliveries of any material shall not accept deliveries (whether rated hereunder or not) of material for repair and maintenance or operation which will increase the inventory or stores available to the processor for such purposes to an amount greater than the minimum necessary for repair and maintenance and to sustain the current level of operations of the processor, and the ratio of such inventory and stores to current operations shall in no event exceed the ratio of average inventory to average operations for the years 1938, 1939, and 1940.

(g) *Records.* In addition to the records required to be kept under Priorities Regulation No. 1, a processor, and each supplier placing or receiving any purchase order or contract rated hereunder, shall each retain, for a period of two years, for inspection by representatives of the War Production Board, endorsed copies of all such purchase orders or contracts, whether accepted or rejected, segregated from all other purchase orders or contracts, or filed in such manner that they can be readily segregated for such inspection.

(h) *Reports.* Each processor and each supplier who applies a preference rating hereunder shall file such reports as may be required from time to time by the War Production Board; and until further notice any processor or supplier who applies a preference rating hereunder for repair, maintenance, or operation, shall file Form PD-413 on or before the 10th day of each month.

(i) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Washington, D. C. Ref: P-118.

(j) *Violations.* Any person who willfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order may be prohibited from receiving further deliveries of any material subject to allocation, and such further action may be taken as is deemed appropriate, including a recommendation for prosecution under section 35 (A) of the Criminal Code (18 U.S.C. 80).

(k) *Revocation or amendment.* This order may be revoked or amended at

any time as to any processor or any supplier. In the event of revocation, deliveries already rated pursuant to this order shall be completed in accordance with said rating, unless the rating has been specifically revoked with respect thereto. No additional applications of the rating to any other deliveries shall thereafter be made by the processor or supplier affected by such revocation.

(l) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case, the provisions of this order shall govern.

This order shall continue in effect through December 31, 1942, unless revoked, amended, or modified prior thereto. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 29th day of September, 1942.

ERNEST KANZLER,
Director General for Operations.

INTERPRETATION 1

Order P-118, as amended, assigns high preference ratings to milk and cream "processors" to enable them to obtain deliveries of repair, maintenance, operating and replacement materials in sufficient time to avoid spoilage of milk or cream.

The order defines a "processor" as a person engaged in certain dairy businesses, to the extent that he is so engaged. Question has arisen as to what phases of such a processor's business may be supplied under the order. The order is interpreted as applying to only the primary processing operations and not to secondary processing or distribution operations. The line of demarcation between primary processing and secondary processing is at the point at which milk, cream, or dairy products have been made ready for delivery from the processor's original processing plant. Ratings under the order may be applied to materials related to any operations up to that point, subject to the restrictions in the order. Ratings under the order may not be applied to materials related to the operations beyond that point, such as delivery from the original plant, reprocessing or repackaging ice cream mix, cheese, butter or other dairy products in a plant other than the original plant, distribution of the finished product, or refrigeration maintained in customers' establishments.

Question has also arisen as to whether the ratings under the order may be applied to obtain automotive replacement parts. The War Production Board program for automotive replacement parts, as provided for in Limitation Order No. L-158 (Part 1297), is devised to develop a sufficient supply of such parts to meet reasonable needs without the use of preference ratings for their acquisition. Order P-118, in paragraph (d) (1) (iii) as amended, prohibits the use of its ratings to obtain material which can be secured without the use of those ratings. Therefore, such ratings may not be used to obtain automotive replacement parts.

[F. R. Doc. 42-10252; Filed, October 12, 1942; 11:48 a. m.]

PART 1115—FUEL OIL

[Limitation Order L-56, as Amended September 29, 1942¹]

Whereas fulfillment of requirements for the defense of the United States has created in certain areas a shortage in the supply of fuel oil for defense, private account and export, it is necessary in the public interest and to promote the defense of the United States to allocate the supply thereof in the manner and to the extent hereinafter in this order provided,

Now, therefore, it is ordered, That:

§ 1115.1 Limitation Order L-56—

(a) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944) as amended from time to time, except to the extent that any provisions hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(b) *Definitions.* When used in this order:

(1) "Additional facilities" means any equipment designed to use fuel oil, other than internal combustion engines or equipment used for domestic cooking or illumination purposes, which equipment has been installed subsequent to July 31, 1942: *Provided*, That the replacement of wornout parts shall not be deemed to be the installation of additional facilities when the existing equipment is not adaptable to the use of alternate fuels.

(2) "Alternate fuel" means any fuel other than fuel oil, electricity, natural gas, manufactured gas or mixed natural and manufactured gas.

(3) "Area One" means the area specified in paragraphs (a) and (b) of Exhibit A hereof as the same may be amended from time to time.

(4) "Area Two" means the area specified in paragraph (c) of Exhibit A hereof as the same may be amended from time to time.

(5) "Area Three" means the area specified in paragraphs (d) and (e) of Exhibit A hereof as the same may be amended from time to time.

¹ This document is a restatement of Amendment 4 to L-56 as Amended which appeared in the FEDERAL REGISTER of October 1, 1942, page 7770, and reflects the order in its completed form as of September 29, 1942.

(6) "Area Four" means the area specified in Exhibit B hereof as the same may be amended from time to time.

(7) "Coal spraying equipment" means any equipment designed to use or using fuel oil or any other petroleum product for the purpose of applying such fuel oil or other petroleum product to coal.

(8) "Consumer" means any person acquiring fuel oil for use, including use as a component part of any manufactured article, material, or compound other than fuel oil. The term includes dealers and suppliers to the extent that they use fuel oil, or acquire fuel oil for use rather than for transfer.

(9) "Converted facilities" means any fuel oil burning equipment which was designed to use an alternate fuel and which has been converted to the use of fuel oil.

(10) "Coupon note" means a writing signed by a person to whom or to whose account fuel oil is transferred, whereby such person agrees to surrender coupons or other evidences, of a stated gallonage value, authorized by or issued under any fuel oil ration order of the Office of Price Administration, within fifteen (15) days after the effective date of such order. Such coupon note shall be in substantially the following form:

Date: October	1942.
Amount:	Gallons.
The undersigned acknowledges receipt from	
of	
(name and address of the transferor)	
..... gallons of fuel oil and agrees to surrender fuel oil ration coupons or other evidences representing such gallonage within fifteen (15) days after the effective date of any fuel oil ration order of the Office of Price Administration, in accordance with the requirements of Limitation Order L-56.	
.....	
(Name of transferee)	
By:	
(Officer or agent)	
.....	
(Address of transferee)	

(11) "Dealer" means any person, including a supplier, who operates a regular place of business at or from which fuel oil is regularly transferred to consumers. The term also includes any person who operates a tank truck or tank wagon for

the transfer of fuel oil directly to consumers and who does not also maintain stationary fuel oil storage tanks.

(12) "Evidence" means a token, including a ration coupon, authorized by the Office of Price Administration to represent a right to receive a transfer of fuel oil.

(13) "Fuel oil" means any liquid petroleum product commonly known as fuel oil, including grades No. 1, 2, 3, 4, 5, and 6, Bunker C, Diesel oil, kerosene, range oil, gas oil, or any other liquid petroleum product used for the same purposes as the above designated grades.

(14) "Passenger automobile" means any motor vehicle other than a motorcycle, built primarily for the purpose of transporting passengers and having a rated seating capacity of seven persons or less.

(15) "Person" means any individual, partnership, corporation, association, government or government agency, or any other organized group or enterprise.

(16) "Primary supplier" means:

(i) Any person who refines fuel oil within Area Four; or

(ii) Any person who maintains stationary storage facilities within Area Four from which the first transfer of fuel oil within Area Four is made; or

(iii) Any consumer who maintains an establishment within Area Four at which delivery of fuel oil for his own use is taken by pipe line, barge, tank ship, or railroad tank car, directly from without Area Four; or

(iv) Any person, whether within or without Area Four, who does not maintain stationary storage facilities within Area Four, and who sends or brings fuel oil into Area Four and transfers it to a person other than a primary supplier as defined in subdivisions (i), (ii), or (iii) of this subparagraph (16). A person shall be deemed to be a primary supplier only with respect to the establishments maintained by him from which operations described in subdivisions (i), (ii), (iii), or (iv) of this subparagraph are carried on, and with respect to the establishments which are replenished solely on a stock transfer basis, rather than on a sales basis, from the establishments from which operations described in sub-

divisions (i), (ii), (iii) or (iv) of this subparagraph are carried on: *Provided*, That, if such person does not maintain stationary storage facilities, he shall be deemed to be a primary supplier with respect to all the mobile facilities operated by him within Area Four.

(17) "Secondary supplier" means any person, other than a primary supplier, who is engaged in the business of transferring fuel oil for resale: *Provided*, That any person who receives fuel oil on consignment from a primary supplier, title to the fuel oil remaining in the primary supplier until the time of transfer by the consignee, shall not be deemed to be a secondary supplier with respect to such fuel oil but shall, for all the purposes of this order, be deemed to be an agent of such primary supplier.

(18) "Standby facilities" means equipment (other than fireplaces) in serviceable operating condition designed to use an alternate fuel, for the operation of which a supply of such fuel is available.

(19) "Supplier" means a primary supplier, a secondary supplier, or both.

(20) "Transfer" means to sell, give, exchange, lease, lend, deliver, supply or furnish, and includes the acquisition of title by legal process or operation of law, such as, but not limited to, the acquisition of title by will, inheritance or foreclosure; it also includes the use by any dealer or supplier of fuel oil held by him; but does not include the creation of a security interest or security title involving no change of possession. Delivery to a carrier for shipment, or by a carrier in the course of or in completion of shipment, shall not be deemed a transfer to or by such carrier.

(21) "Transfer", as applied to an establishment or place of business, means any change from one person to another of the right to occupation of the premises and the right to possession and disposal of any fuel oil stocks on hand, whether or not the transferor continues on the premises in another capacity.

(c) *Prohibited transfers of fuel oil.*
(1) No person shall transfer or accept a transfer of fuel oil:

(i) For use in the operation of coal spraying equipment in any place in the United States;

(ii) For use in the operation of additional facilities or converted facilities within Areas One, Two, and Three, except if:

(a) In the case of new construction, the additional facilities were specified in the construction contract and the foundations under the main part of the structure in which the additional facilities were to be installed was completed prior to July 31, 1942;

(b) In the case of converted facilities, such conversion was completed prior to July 31, 1942;

(c) In the case of either additional or converted facilities, the person using such facilities cannot use an alternate fuel either because such fuel is unavailable or because technical utilization factors prevent its use;

(iii) For use in the operation of oil burning equipment within Areas One, Two, and Three, where standby facilities are available, unless such standby facilities are operated to take the place of such equipment to the maximum possible extent and to effect the maximum reduction of fuel oil requirements;

(iv) For use in the operation of oil burning equipment, within Area Four, for the purpose of cooling space (other than hospital space) for human occupancy;

(v) From within Area Four to any point without Area Four, except to a consumer as provided in paragraph (d) (2);

(vi) For the operation of a passenger automobile anywhere in the United States.

(d) *Restrictions on transfers of fuel oil to or by consumers in Area Four.* (1) Within Area Four, on and after October 1, 1942, notwithstanding the terms of any contract, agreement, or commitment, regardless of when made, no person other than a dealer or supplier shall transfer or offer to transfer fuel oil to a consumer.

(2) During the period from October 1, 1942 to October 31, 1942, inclusive, notwithstanding the terms of any contract, agreement or commitment, regardless of when made, no dealer or supplier may transfer fuel oil from within or without Area Four to a consumer within Area Four, or from within such Area to a consumer without such Area, and no consumer shall accept such transfer except in exchange for coupon notes (or coupons or other evidences), for an amount equal to the number of gallons of fuel oil transferred. Such coupon notes shall be executed and forwarded to the transferor at the time of transfer or within twenty-four (24) hours thereafter.

(3) Nothing herein shall be deemed to forbid:

(i) The transfer of fuel oil actually in the fuel supply tank of a vehicle, boat or equipment used for purposes other than supplying heat or hot water to buildings or structures, in conjunction with a lawful and bona fide transfer of such vehicle, boat or equipment itself; or the consumption by the transferee in such vehicle, boat or equipment of fuel oil actually in the fuel supply tank thereof at the time of transfer; or

(ii) Transfers of fuel oil by legal process or by operation of law; or transfers of fuel oil in a storage tank or other container maintained by a consumer as part of an enterprise or establishment, or in the fuel supply tank of equipment supplying heat or hot water to buildings or

structures, in conjunction with a lawful and bona fide transfer of such enterprise, establishment or equipment itself; or transfers of fuel oil by consumers to dealers or suppliers. Any person to whom a transfer of the character described in this sub-division (ii) is made within Area Four, shall forthwith report such transfer and the amount of fuel oil involved, to the Local War Price and Rationing Board in the area in which such fuel oil is located. Such person, if a dealer or supplier, shall surrender to the Board, together with such report, coupon notes signed by him for an amount equal to the number of gallons of fuel oil transferred. Such person, if not a dealer or supplier, may either:

(a) Transfer all or any part of such fuel oil in exchange for coupon notes for an amount equal to the number of gallons of fuel oil so transferred, and surrender to the Local War Price and Rationing Board coupon notes signed by him for an amount equal to such number of gallons; or

(b) Consume such fuel oil: *Provided*, That such person shall report the amount of fuel oil so consumed as fuel oil on hand if he makes application, under any fuel oil ration order issued by the Office of Price Administration, for a fuel oil ration covering the period during which such fuel oil was consumed.

(e) *Restrictions on transfers of fuel oil to dealers and suppliers within Area Four.*

(1) During the period from October 1, 1942 to October 31, 1942, inclusive, no primary supplier within or without Area Four, and no dealer or secondary supplier within Area Four, shall transfer or offer to transfer fuel oil to any dealer or supplier within Area Four, and no dealer or supplier within Area Four shall accept such transfer of fuel oil, except in exchange for coupon notes (or coupons or other evidences) for an amount equal to the number of gallons of fuel oil transferred. Such coupon notes shall be executed by the transferee and forwarded to the transferor within twenty-four (24) hours after the transfer.

(2) If, between October 1, 1942 and October 31, 1942, the place of business of any dealer or supplier within Area Four, is transferred, the transferee of the business may acquire the fuel oil inventory of the transferor without executing a coupon note. All coupon notes of the transferor shall be turned over to the transferee, and shall be held by the transferee until they have been redeemed; the coupons or other evidences received in redemption of the coupon notes shall be disposed of in the manner provided in the fuel oil ration order of the Office of Price Administration pursuant to which such coupons or evidences are issued.

(f) Records to be kept by dealers and suppliers. (1) At the time of making any transfer of fuel oil to any dealer or supplier within Area Four, every transferor shall furnish to such dealer or supplier an invoice, delivery ticket, or other document of transfer showing the name and address of the transferee and the date and amount of the transfer. Every such transferee shall retain at his place of business for a period of at least one year from the date of such transfer of fuel oil, the invoice, delivery ticket, or other document so furnished him.

(2) Every dealer or supplier who makes a transfer to a consumer, of the type described in paragraph (d) (2), shall keep a record of such transfer, showing the name and address of the transferee, the date of the transfer, and the number of gallons of fuel oil transferred. Every dealer or supplier shall retain such record at his place of business for a period of at least one year from the date of such delivery.

(3) Every person to whom coupon notes have been given shall retain all such coupon notes and, at the time of surrender to him of coupons or other evidences in full redemption of a coupon note, shall return such note to the person who signed it: *Provided*, That within thirty (30) days after the effective date of any fuel oil ration order issued by the Office of Price Administration, each such person shall report to the Regional Office of the Office of Price Administration in his region, the name and address of each person who has failed to redeem his coupon notes in full, and the amount of fuel oil transferred to such person.

(4) All coupon notes, records, reports, or other documents required by Limitation Order L-56 to be prepared and kept by any person, and the fuel oil facilities of any person, shall be subject to inspection by the War Production Board or the Office of Price Administration, or by any agent, representative or employee of either; such inspection may be made at the establishment or office of any such person at any reasonable time.

(g) Redemption of coupon notes. Within fifteen (15) days after the effective date of any fuel oil ration order issued by the Office of Price Administration, every person who has executed (or is required by this order to execute) a coupon note shall surrender to the person to whom the note was given (or was required by this order to be given) coupons or other evidences, issued pursuant to such fuel oil ration order, equal in gallonage value to the number of gallons for which such notes were executed or required.

(h) Directions as to deliveries and conversions. (1) The Director General for

Operations may, from time to time, subject to the provisions of paragraphs (d), (e) and (g) of this order, issue specific directions directing or forbidding the transfer of fuel oil to any person or class of persons.

(2) The Director General for Operations or a representative of the Office of Petroleum Coordinator for War designated by him may from time to time examine and investigate the fuel oil burning facilities owned or operated by any person for the purpose of determining whether such equipment can be converted to the use of an alternate fuel. In making such investigation facts and circumstances which may relate to the particular problem, including the availability of alternate fuel, shall be considered. If it is found that the fuel oil burning facilities of any person may be converted to the use of alternate fuel, and that a supply of such fuel is available, without any unreasonable expenditure upon the part of the person and without working any exceptional or unreasonable hardship upon such person, then the Director General for Operations may, after notice sufficient to permit such conversion, forbid further deliveries of fuel oil for use in such facilities.

(i) Appeals and applications. Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may file an appeal setting forth the pertinent facts and the reasons why he considers himself entitled to relief. All appeals shall be filed in quadruplicate.

Any appeal involving a defense housing project shall be filed with the local Federal Housing Administration office which shall review such appeal and transmit it, together with specific recommendations, to the Director of Marketing, Office of Petroleum Coordinator for War, Department of the Interior, Washington, D. C., for further proceedings. All other appeals shall be filed as follows:

If appellant is located in Area One or in the area specified in paragraph (c) of Area Three, Exhibit A, the appeal shall be addressed to the District Director of Marketing, Office of Petroleum Coordinator for War, 122 East 42d Street, New York, New York.

If appellant is located in the area specified in paragraph (d) of Area Three, Exhibit A, the appeal shall be addressed to the District Director of Marketing, Office of Petroleum Coordinator for War, 855 Subway Terminal Building, Los Angeles, California.

If appellant is located in Area Two, Exhibit A, the appeal shall be addressed to the District Director of Marketing, Office of Petroleum Coordinator for War, Suite 1336, 120 South LaSalle Street, Chicago, Illinois.

The District Director of Marketing shall promptly investigate and consider the matter and shall seek to bring about

a voluntary settlement of the controversy in accordance with the provisions of this order. In the event that no settlement can be reached, then the District Director of Marketing shall forward the appeal and record thereon, together with his recommendations, to the Director of Marketing, Office of Petroleum Coordinator for War, Washington, D. C.

(j) Violations or false statements. Any person who wilfully violates any provision of this order or who wilfully furnishes false information to any Department or Agency of the United States in connection with this order is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priorities control and may be deprived of priorities assistance by the Director General for Operations.

(k) Reports and correspondence. All reports required to be filed hereunder and all correspondence concerning this order shall, unless otherwise directed, be addressed to: Office of Petroleum Coordinator, Department of the Interior, Washington, D. C., Ref.: L-56.

(l) Effective date. This order shall take effect on October 1, 1942 and shall continue in effect until revoked. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 29th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

EXHIBIT A

(a) Area One: The entire eastern part of the continental United States up to and including all of the counties of Wayne, Ontario and Steuben in the State of New York; Tioga, Lycoming, Clinton, Centre, Blair and Bedford in the State of Pennsylvania; Allegany in the State of Maryland; Mineral, Grant and Pendleton in the State of West Virginia; Highland, Bath, Alleghany, Craig, Giles, Pulaski, Wythe and Grayson in the State of Virginia; Ashe, Watauga, Avery, Mitchell, Yancey, Madison, Haywood, Swain, Graham and Cherokee in the State of North Carolina; Fannin, Murray, Whitfield, Catoosa, Dade, Walker, Chattooga, Floyd, Polk, Haralson, Carroll, Heard, Troup, Harris, Muscogee, Chattahoochee, Stewart, Quitman, Clay, Early, Seminole and Decatur in the state of Georgia; and Gadsden, Liberty and that part of Franklin which lies east of the Appalachian River in the state of Florida.

(b) Area Two: The states of Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee and Wisconsin.

(c) Area Three: All of the states of Connecticut, Delaware, Florida, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York,

North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia and the District of Columbia.

(d) The states of Oregon and Washington.

EXHIBIT B

Area Four: The States of Connecticut, Delaware, Florida (east of the Apalachicola River), Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Pennsylvania, Rhode Island, South Carolina, South Dakota, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia.

[F. R. Doc. 42-10247; Filed, October 12, 1942; 11:44 a. m.]

PART 1128—CLOSURES FOR GLASS CONTAINERS

[Conservation Order M-104, as Amended September 26, 1942¹]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of glass container closures for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1128.1 Conservation Order M-104—

(a) **Definitions.** (1) "Person" means any individual, partnership, association, public trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Glass container" means any bottle, jar, or tumbler which is intended for packing, packaging, or putting up products of any kind and which is made of glass, but does not include any closure therefor.

(3) "Closure" means any sealing or covering device affixed to a glass container in order to retain the contents within the container.

(4) "Two-piece home canning closure" means a closure consisting of two separable pieces, one of which is a disc made of tinplate, glass, porcelain, or crockery, and the other of which is a metal screw band usually threaded, but not in contact with the contents of the glass container, and serving to hold the disc in place. "Metal screw band" includes both a band with its center portion or a part thereof cut out, and the band whose center portion or part thereof is not cut out.

(5) "Cover cap" means a secondary closure made of tinplate, terneplate, or blackplate, which fits over the primary

seal or closure of a glass container, and which is illustrated by but not limited to the slip cap or secondary closure sometimes used to pack tomato catsup and chile sauce, or to cover jelly glasses filled in the home and given a primary seal of paraffin.

(6) "Tinplate" means blackplate coated with tin, and includes "primes", "seconds", "waste-waste", and all other forms of tinplate except waste.

(7) "Terneplate" means blackplate coated with a lead-tin alloy, and includes "primes", "seconds", "waste-waste", and all other forms of terneplate except waste.

(8) "Blackplate" means any sheet steel, other than tinplate or terneplate, suitable for manufacture into closures, and includes "rejects" and all other forms of blackplate except waste.

(9) "Malt beverages" means beer, ale, stout, near-beer, and beverages of a similar kind, made by alcoholic fermentation of malted barley with or without other food products, and with hops or hop extracts.

(10) "Non-alcoholic beverages" means bottled drinks of the type usually prepared by the soft-drink industry, being carbonated and non-carbonated drinks and waters, including but not limited to bottled chocolate sodas and sterilized milk drinks: *Provided*, That the term does not include (i) drinks consisting of fruit juices, vegetable juices, and combinations thereof, where at least 85 percent by weight of such drinks is pure fruit juice, vegetable juice, or a mixture thereof; (ii) sweet syrups including only cane, maple, molasses, corn and sorghum syrups; (iii) citrate of magnesia and pectin products.

(11) "Waste" means used closures and used cans, made of tinplate, terneplate, or blackplate.

(b) **Restrictions on manufacture, sale, and delivery of closures—**(1) **General restrictions.** No person shall use any tinplate, terneplate, or blackplate for the manufacture of closures to be affixed to glass containers for any purpose prohibited by this order or any order supplementary hereto. No person shall sell or deliver any glass container closures, other than closures for malt beverages and non-alcoholic beverages, to any person except under purchase orders or contracts validated by delivery to such person of a purchaser's certificate, manually signed by an authorized official, in substantially the form attached hereto as Exhibit A; and no person shall sell or deliver any closures for malt beverages or non-alcoholic beverages to any person except under purchase orders or contracts validated by delivery to such person of a purchaser's certificate, manually signed by an authorized official, on Form PD-519.

(2) **Closures for malt beverages or non-alcoholic beverages.** No person shall use any tinplate or terneplate for the manufacture of closures for malt bev-

erages or non-alcoholic beverages: *Provided*, That this prohibition shall not prevent the completion, sale, and delivery of such closures made of tinplate or terneplate which were completely manufactured or in process of manufacture on or before the effective date of this order and which cannot be used for products other than malt beverages and non-alcoholic beverages by reason of private lithographic design or other special construction. During any calendar month, beginning June 1, 1942, no person shall use any blackplate for the manufacture of closures for malt beverages or non-alcoholic beverages in excess of 60 percent of the tonnage of tinplate, terneplate, and blackplate which he used in the corresponding month of 1941 for the manufacture of such closures for glass containers and for cap-sealed cans.

(3) **Closures for wine or distilled spirits.** No person shall use any tinplate or terneplate for the manufacture of closures for wine or distilled spirits. Until August 1, 1942, no person shall use any blackplate for the manufacture of closures for wine or distilled spirits, except to the extent required after exhausting inventories of closures on hand to fill purchase orders permitted under paragraph (c) (5) of this order. Beginning August 1, 1942, no person shall use any blackplate for the manufacture of such closures: *Provided*, That this prohibition shall not prevent the completion, sale, and delivery of such closures made of tinplate, terneplate, or blackplate which were completely manufactured or in process of manufacture on or before May 30, 1942 and which cannot be used for products other than wine or distilled spirits, by reason of private lithographic design or other special construction.

(4) **Cover caps and metal screw bands.** No person shall use any tinplate or terneplate for the manufacture of cover caps, or metal screw bands for two-piece home canning closures.

(5) **Animal foods.** No person shall use any tin plate, terneplate, or blackplate for the manufacture of closures to be affixed to glass containers for any kind of food not intended for human consumption.

(6) **Double shell or semi-double shell caps.** No person shall use any tinplate, terneplate, or blackplate for the manufacture of any double shell or semi-double shell caps, unless one shell thereof is made from waste or scrap material referred to in paragraphs (a) (6), (a) (7), or (a) (8) and expressly excepted from the terms therein defined.

(c) **Restrictions on purchase, acceptance of delivery, and use of closures—**(1) **Closures made of tinplate.** No person shall use any glass container closures made of tinplate to pack any of the following products:

Alcohol; rubber cement of solvent type; acetone; amyl acetate; carbon bisulfide; triethanolamine; sodium silicate; benzol, including but not limited to naphtha; dyes (paste or liquid); fire extinguisher fluid; graphite; liquid glues and pastes; glycerine; polish; waxes (emulsion type); and paints,

¹ This document is a restatement of Amendment No. 1 to M-104, as Amended May 30, 1942, which appeared in the FEDERAL REGISTER of September 29, 1942, page 7660, and reflects the order in its completed form as of September 26, 1942.

including but not limited to shellac, varnish, lacquer, enamel, turpentine, linseed oil, and paint thinners.

The foregoing prohibition shall not apply to the use of glass container closures for packing any of the following products where chemical purity is required:

Alcohol; acetone; amyl acetate; carbon bisulfide; turpentine; and glycerine; or closures to be used on glass containers for paste and liquid dyes for certified food colors.

(2) *Closures made of tinplate or terneplate.* No person shall use any glass container closures made of tinplate or terneplate to pack any of the following products:

Coffee; tea and teaballs; dry spices (except those containing salt, onion salt or garlic); candy; butter; peanut butter, lard, shortening, and edible oils; baking powders; tobacco and tobacco products, including cigars and cigarettes, smoking and chewing tobacco, and snuff; cements, including linoleum, radiator, shoe, and belting cements; radiator anti-rust compounds, carbon removers, and kneaction or brake fluids; lighter fluids; oleic acid; dry cleaners and dry cleaning fluids; dry solvents; insecticides and agricultural disinfectants; printing, duplicating, and lithographing ink; lubricating oil and cutting oil; medicinal oils, ointments, and petroleum jelly; graphite (where no water is present); and paste type waxes.

(3) *Closures made of tinplate, terneplate, or blackplate for malt beverages or non-alcoholic beverages.* During any calendar month, beginning June 1, 1942, no person shall use any closures made of tinplate, terneplate, or blackplate, to be affixed to glass containers for malt beverages or non-alcoholic beverages, in excess of 60 percent of the tonnage of such glass container closures made of tinplate, terneplate, or blackplate which he used for such purposes during the corresponding month of 1941: *Provided*, That such person shall be allowed to use an additional tonnage of such closures, equal to 60 percent of the tonnage of such closures made from 90 pound per base box blackplate which he would have used for packing in glass containers of equivalent capacity the malt beverages which he packed during the corresponding month in 1941 in flat-top cans and cap-sealed cans made of tinplate, terneplate, or blackplate. To the extent that a person uses lighter weight closures than he did in 1941, the number of closures which he may use is increased, since the quota shall be calculated upon the basis of the total weight of blackplate to be used. For the purpose of calculating the tonnage of finished closures in the possession of the user on or before June 1, 1942, all such closures may be considered as having been made from 90 pound per base box blackplate.

No person shall purchase or accept delivery of closures made of tinplate, terneplate, or blackplate to be affixed to glass containers for malt beverages or non-alcoholic beverages, when the effect of such purchase or delivery will be to increase his inventory of such closures beyond 20 percent of the number of such closures for glass containers, which he used during the calendar year 1941, plus 20 percent of the number of such closures

he would have used for packing in glass containers of equivalent capacity the malt beverages which he packed during the calendar year 1941 in flat-top cans and cap-sealed cans made of tinplate, terneplate, or blackplate.

(4) *Closures for waters.* No closures made of tinplate, terneplate, or blackplate shall be affixed to glass containers smaller than 12 fluid ounces, for packing unflavored carbonated, natural or mineral waters, unless such glass containers were manufactured on or before June 1, 1942.

(5) *Closures for wine or distilled spirits.* Until August 1, 1942, no person shall purchase or accept delivery of any closures made of tinplate, terneplate, or blackplate to be affixed to glass containers for wine or distilled spirits when the effect of such purchase or delivery will be to increase his inventory of such closures made of tinplate, terneplate, or blackplate beyond a quantity equal to the tonnage of such closures which he used during the months of May, June, and July, 1941. Beginning August 1, 1942, no person shall purchase or accept delivery of such closures except those which were completely manufactured or in process of manufacture on or before the effective date of this order and which cannot be used for products other than wine or distilled spirits by reason of private lithographic design or other special construction.

(d) *Exceptions—(1) Closures for malt beverages or non-alcoholic beverages.* The quota restrictions specified in paragraph (c) (3) relating to the use of closures for malt beverages or non-alcoholic beverages shall not apply to closures which are used for the sale and delivery of malt beverages or non-alcoholic beverages to or for any of the following persons or agencies:

(i) To any foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), to the Army or Navy of the United States or such other governmental agency as the Director General for Operations may designate.

(ii) To any person, for retail sale through concessions at restaurants at Army or Navy camps or through outlets not operated for private profit and established primarily for the use of Army or Navy enlisted personnel within Army or Navy establishments or on Army or Navy vessels, including posts exchanges, sales commissaries, officers' messes, servicemen's clubs and stores.

(iii) The American Red Cross or the United Service Organizations.

(2) *Certain closures on hand or in process of manufacture.* In respect of closures for glass containers other than for malt beverages, non-alcoholic beverages, wine, and distilled spirits, nothing in this order shall be construed to prevent the completion of closures made of tinplate, terneplate, or blackplate which was already lacquered, varnished, or lithographed on or before April 3, 1942, or to prevent the sale, delivery, and use of such closures so manufactured, or the

sale, delivery, and use of completely manufactured closures in inventory on such date; provided that such closures cannot be used for purposes permitted by this order, by reason of private lithographic design or other special construction.

(e) *Miscellaneous provisions—(1) Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944) as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case provisions of this order shall govern.

(2) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of material conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense work, may appeal to the War Production Board by letter or other written communication, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(3) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Washington, D. C. Ref.: M-104.

(4) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 26th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

EXHIBIT A Endorsement

The undersigned purchaser hereby certifies to the seller herein and to the War Production Board that he is familiar with Conservation Order M-104 (as heretofore amended) and that, during the life of such order, he will not use any closures purchased from the seller pursuant to this or future contracts or orders, in violation of the terms of such order.

Dated _____
By _____

[F. R. Doc. 42-10248; Filed, October 12, 1942; 11:46 a. m.]

PART 1176—IRON AND STEEL CONSERVATION

[Conservation Order M-126 as Amended
October 2, 1942¹]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron and steel for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1176.1 *General Conservation Order M-126*—(a) *Restrictions with respect to List A products.* Except as provided in paragraph (c):

(1) *Raw material deliveries and fabrication.* From and after May 20, 1942, no person shall deliver or accept delivery of any iron or steel which he knows or has reason to know will be used to make any item on List A or part thereof, and from and after June 19, 1942, no person shall put into process or process any iron or steel to make any item on List A or part thereof.

(2) *Assembly.* From and after August 3, 1942, no person shall assemble any item on List A or part thereof containing any iron or steel.

(3) *Finished item deliveries.* No person shall deliver or accept delivery of any item on List A or part thereof which he knows or has reason to know was fabricated, assembled or delivered in violation of any applicable provision of this order as amended from time to time.

(b) *Restrictions with respect to Supplementary List A products.* Except as provided in paragraph (c):

(1) *Raw material deliveries.* From and after the applicable governing date (as hereafter defined) of any item on Supplementary List A, no person shall deliver or accept delivery of any iron or steel which he knows or has reason to know will be used to make any item on Supplementary List A, or part thereof.

(2) *Fabrication*—(i) *Limitation.* During the 30 days next following the applicable governing date of any item on Supplementary List A, no person shall put into process any iron or steel to make any item on Supplementary List A, or part thereof, in an aggregate weight greater than 75 percent of the average monthly weight of all metals put into process by him during 1941 in the making of such items and parts, and no person shall put into process any iron or steel in the making of any such item or part unless processing thereof will be completed within such 30 day period.

(ii) *Prohibition.* From and after the date 30 days after the applicable governing date of any item on Supplementary List A, no person shall process any iron or steel to make any item on Supplementary List A, or part thereof.

(3) *Assembly.* From and after the date 60 days after the applicable governing date of any item on Supplementary List A, no person shall assemble any item on Supplementary List A, or part thereof, containing any iron or steel.

(4) *Finished item deliveries.* No person shall deliver or accept delivery of any item on Supplementary List A, or part thereof, which he knows or has reason to know was fabricated, assembled or delivered in violation of the provisions of this paragraph (b).

(c) *Exemption for Army-Navy-Maritime orders.* The provisions of paragraph (a) shall not apply to Army-Navy-Maritime orders for any item on List A or part thereof until August 4, 1942; and the provisions of paragraph (b) shall not apply to Army-Navy-Maritime orders for any item on Supplementary List A or part thereof for a period of 60 days after its governing date. From and after the expiration of the applicable exemption period, no person shall deliver, accept delivery of, put into process, process or assemble any iron or steel for the making of any item on List A or Supplementary List A, or part thereof, unless such item or part is on List C. The provisions of paragraphs (a) and (b) shall not apply to Army-Navy-Maritime orders for any item on List C or part thereof.

(d) *Restrictions with respect to other products*—(1) *Roofing and siding.* No person shall manufacture any iron or steel into roofing or siding except:

(i) For delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development; or

(ii) For delivery on a preference rating of A-1-k or higher assigned by a PD-3A preference rating certificate or by a preference rating order in the P-19 series; or

(iii) For defense housing, as permitted by the Defense Housing Critical List; or

(iv) For the manufacture of railroad freight cars, street cars, busses, trucks or trailers; or

(v) For delivery to an ultimate purchaser for maintenance and repair purposes regardless of rating. With respect to this paragraph (d) (1) (v), no person may manufacture from May 5, 1942 to December 31, 1942, more than 20 percent of the roofing and siding made by him from iron or steel during the calendar year 1940; or in the calendar year 1943 and subsequent calendar years, more than 25 percent of the roofing and siding made by him from iron or steel during the calendar year 1940.

Any person manufacturing or selling any such roofing or siding may rely on the certificate of his customer that such roofing or siding will only be sold or used as permitted by this paragraph (d) (1).

(2) *Other products.* From and after May 5, 1942, no person shall use any iron or steel to make any article not on List A or Supplementary List A, or any part thereof, where and to the extent that the use of other material (excluding material on List D) is practicable. Alloy steel shall not be used when the use of carbon steel is practicable, and no more iron or steel shall be used in connection with the manufacture of any such article than is

essential. The provisions of this paragraph (d) (2) shall not apply in the case of articles or parts to be purchased by or for the account of the Army or Navy of the United States or the United States Maritime Commission, or to be physically incorporated into products to be so purchased to the extent that the use of iron or steel is required by the specifications (including performance specifications) of the Army or Navy of the United States, the United States Maritime Commission applicable to the contract, subcontract or purchase order.

(e) *Restrictions with respect to other scarce materials.* No person whose use of iron or steel is restricted by paragraphs (a), (b), (c) or (d) shall use as a substitute therefor any material on List D.

(f) *Disposition of frozen and excessive inventories.* The disposition of frozen and excessive inventories containing iron or steel shall be subject to the applicable provisions of Priorities Regulation No. 13 (§ 944.34).

(g) *Miscellaneous provisions*—(1) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1, (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(2) *Appeal.* Any appeal from the provisions of this order must be made on Form PD-500 and must be filed with the field office of the War Production Board for the district in which is located the plant to which the appeal relates.

(3) *Applicability of order.* The prohibitions and restrictions contained in this order shall apply whether the items are ordered or manufactured pursuant to a contract made prior to, on or subsequent to May 5, 1942 or pursuant to a contract supported by a preference rating. Insofar as any other order of the Director General for Operations may have the effect of limiting or curtailing to a greater extent than herein provided the use of any material in the production of any item, the limitations of such order shall be observed.

(4) *Intra-company deliveries.* The restrictions of this order with respect to deliveries prohibit or restrict deliveries not only to other persons, including affiliates or subsidiaries, but also from one branch, division, or section of a single enterprise to another branch, division, or section of the same or any other enterprise under common ownership or control.

(5) *Violations.* Any person who willfully violates any provision of this order or who wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

¹ This document is a restatement of Amendment 7 to M-126 which appeared in the FEDERAL REGISTER of October 3, 1942, page 7833, and reflects the order in its completed form as of October 2, 1942.

(6) *Installation.* The restrictions of this order with respect to putting into process, processing, and assembling shall not apply to the installation of an item or part for the ultimate consumer on his premises when any putting into process, processing or assembling of such item or part is incidental to such installation and is done on such premises.

(7) *Repair.* The restrictions of this order (other than those contained in paragraph (d) (2)) shall not apply to a person repairing a used article on or off the premises of the owner, if the person making the repair does not use steel or iron weighing in the aggregate more than 25 pounds and if any putting into process, processing or assembling done by such person is for the purpose of making the specific repair.

(8) *Definitions.* For the purposes of this order:

(i) With respect to any item on Supplementary List A, or part thereof, "Governing date" means the date set forth opposite such item in Column 2 of Supplementary List A.

(ii) "Army-Navy-Maritime order" means an order for material to be purchased (or physically incorporated into material to be purchased) by or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration, where the use of iron or steel is required by the specifications (including performance specifications) of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration, applicable to the contract, sub-contract or purchase order.

(iii) The terms "iron" and "steel" shall not be deemed to include screws, nails, rivets, bolts, or wire, strapping or small hardware for joining or other similar essential purposes.

(iv) "Process" means cut, draw, machine, stamp, melt, cast, forge, roll, turn, spin, or otherwise shape.

(v) "Put into process" means the first change by a manufacturer in the form of material from that form in which it is received by him.

(vi) The term "assemble" shall not be deemed to include the putting together of an article after delivery to a sales outlet or consumer in knockdown form pursuant to an established custom. The term "assemble" shall also not be deemed to include adding finished parts to an otherwise finished article when the placing of one or more finished parts or the size or type of one or more finished parts is determined by the use to which the ultimate consumer is to put the article. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 2nd day of October, 1942.

ERNEST KANZLER,
Director General for Operations.

LIST A

Item

Access panels, except as required by Underwriters Code.
Acoustical ceilings.
Advertising novelties.
Air-conditioning systems¹—except for hospital operating rooms and industrial plants.
Amusement park devices and roller coasters.¹
Area walls.
Ash sieves.
Asparagus tongs.
Atomizers, perfume—boudoir.
Attic fans.
Autographic registers.¹
Automobile accessories—except as required by law.
Automotive replacement parts, non-functional.
Awning frames and supports.
Bag, purse and pocketbook frames.
Barber and beauty shop furniture.
Baskets—except for commercial cooking and manufacturing uses.
Bath tubs.
B-B shot for air rifles.
Beds—except hospital.
Bed spring frames—except for hospital link fabric spring type bed.
Beer kegs—except hoop and fittings for wooden kegs.
Beer mugs.
Beer stands.
Beer steins.
Bench legs—except industrial.
Binoculars—except U. S. Government agencies.
Bird cages and stands.
Bird houses and feeders.
Biscuit boxes.
Blackboards.
Blade stropers, mechanical.
Bleachers and grandstands.¹
Book ends.
Bottle holders.
Boxes and trays for jewelry, cutlery, combs, toilet sets.
Bread racks.
Bridge splash guards.
Building ornaments.
Butter chips.
Butter knives.
Cabinets—except
(a) Hospital operating and examining rooms.
(b) Office furniture as permitted in Limitation Orders L-13-a, and L-62.
Cake cutters.
Cake tongs.
Candy display dishes.
Canopies for electric brooders.
Canopies and supports.
Cans or containers for:
Anti-freeze (under 5 gal. size), artist supplies, coffee, and tobacco products; except that closures for glass containers for such items may be processed until October 1, 1942, but only from distressed stocks of black plate already lithographed on or before September 3, 1942.
Bouillon cubes.
Candy.
Caviar.
Chalk.
Gloves.
Incense.
Lawn seed.
Nuts.
Pencils.
Pet food.
Phonograph needles.
Playing cards.
Razor blades.
Sponges.
Staples.

Cans or containers for—Continued.

Tennis balls.
Toilet water.
Yarn.
Carpet rods.
Carving set holders.
Cash boxes.
Cash registers.¹
Casket hardware.
Cattle stanchions—except hangers and fasteners.
Ceilings.
Cheese dishes.
Chicken crates.
Chick feeders.
Christmas tree holders.
Christmas tree ornaments.
Cigar and cigarette holders and cases.
Cigarette lighters.
Cigar slippers.
Clock cases—except on recording and controlling industrial instruments.
Clothes line pulleys.
Clothes line reels.
Clothes racks and dryers.
Clothes trees.
Coal chute and door, household.
Coal pans.
Cocktail glasses.
Cocktail sets.
Cocktail shakers.
Coffee roasting machinery.¹
Compacts.
Cooking stoves, commercial electric.¹
Copy holders.
Corn cribs.
Corn poppers and machines.
Counter tops.
Croquet sets.
Crumb trays.
Culverts.
Cupboard turns.
Cups of all kinds, drinking.
Curb guards.
Decorative iron products.
Dictaphone racks.
Dinner bells.
Dishwashing machines¹—except hospitals.
Dispensers, hand, for—
Hand lotions.
Paper products.
Soap.
Straws.
Document stands.
Door chimes.
Door knockers.
Door closers—except for hospitals, public toilet doors, exterior doors on public buildings, and where required to meet fire regulations.¹
Door handles—except shipboard use.
Door stops.
Drain boards and tub covers, household.
Drawer pulls.
Dress forms.
Dummy police.
Dust collecting systems and equipment—except on A-1-j or higher.¹
Ediphone racks.
Egg slicers.
Electric drinking water coolers—except for use in war plants.
Enamel store fronts.
Erasing knives.
Escalators.¹
Feed troughs.
Fence posts—except on A-2 or higher.
Fences, chain link—except on A-2 or higher.
Fences, ornamental.
Finger bowls.
Fireplace equipment, including but not limited to, grates, clean out doors and ash dumps—except dampers.
Fireplace screens.

¹ Maintenance and repair excepted.

Fish aquariums.
 Flagpoles.
 Flashlight tubes.
 Floor and ceiling plates for piping.
 Floor and counter covering trim.
 Floor polishing machines.
 Flour, salt and pepper shakers.
 Flower boxes, pot holders, and vases.
 Flower shears.
 Fly traps.
 Foot baths—except hospitals.
 Foot scrapers.
 Fountain pens—except functional parts.
 Fountains, ornamental.
 Furniture¹—except—
 (a) Wood furniture.
 (b) As listed in Limitation Orders L-13-a and L-62.
 (c) Hospital operating and examining rooms.
 (d) Hospital beds and cots.
 Garage hoists, car lifts and racks.
 Golf bag supports.
 Grain storage bins—except strapping, hardware, and reinforcing materials.
 Grass shears.
 Grilles:
 Ornamental.
 Sewers¹—except on A-2 or higher and reinforcing for concrete sewers.
 Gutters, spouting, conductor pipe, and fittings for single family dwellings.¹
 Hair curlers, non-electric.
 Hair dryers.
 Hand mirrors.
 Hangers and track for garage doors for private use.
 Hanger rings on brushes, brooms, etc.
 Hat frames.
 Hat-making machinery.¹
 Hedge shears.
 Helmets—except on A-2 or higher.
 Hose reels—except—
 (a) Fire fighting equipment.
 (b) Industrial uses in direct fire hazard areas.
 House numerals.
 Ice box exteriors—except portable blood banks.
 Ice cream freezers, household.
 Ice cube trays.
 Ink well holders.
 Incinerators—except industrial, commercial and as allowed in Defense Housing Critical List.
 Insulation, metal reflecting type.
 Jam boxes.
 Jelly molds.
 Jewelry.
 Jewelry cases.
 Kitchenware of stainless steel.
 Knitting needles.
 Lard or vegetable oil tubs—except 5 lbs. and over and straps for wood containers.
 Laundry chutes.
 Laundry trays—except reinforcing mesh.
 Lavatories—except hangers.
 Lawn sprinklers.
 Letter chutes.
 Letter openers.
 Letter trays.
 Lighting poles and standards.¹
 Lipstick holders.
 Lobster forks.
 Lobster tongs.
 Lockers—except—
 (a) Oil refinery use.
 (b) Office equipment as limited by Limitation Order L-13-a.
 Mail boxes—except as required by U. S. postal regulations.
 Mailing tubes.
 Marine hardware for pleasure boats.
 Marquees.
 Match boxes.
 Material for housing, not otherwise specified in this order—except as allowed in Defense Housing Critical List.
 Mechanical book binding wire.

Measuring pumps and dispenser¹ for gasoline station, garage and household use, including but not limited to—
 Gasoline dispensing pumps.
 Grease pumps.
 Oil pumps, except barrel pumps and lubricators.
 Kerosene pumps.
 Air pumps.
 Menu holders.
 Milk bottle cases—except that a total of 4½ lbs. of iron and steel per case (including joining and essential hardware) may be used.
 Millinery wire and gimps.
 Mop wringers.
 Music stands.
 Napkin rings.
 Necktie racks.
 Newspaper boxes or holders.
 Novelties and souvenirs of all kinds—except that the assembling of artificial leaves, fruit, flowers, and of feather ornaments shall be permitted when any iron or steel wire to be used was drawn on or before June 19, 1942 or was sold to the manufacturer of the artificial leaves, fruit, flowers or feather ornaments as scrap.
 Office machinery used for¹—
 Change making.
 Coin handling.
 Check cancelling.
 Check cutting.
 Check dating.
 Check numbering.
 Check signing.
 Check sorting.
 Check writing.
 Envelope handling.
 Envelope opening.
 Envelope sealing.
 Envelope stamping.
 Envelope mailing.
 Folding contents of envelope.
 Ornamental hardware and mouldings.
 Outdoor fireplace parts.
 Packing twine holders.
 Pail clasps.
 Paint spray outfits—except industrial.
 Paper rollers, household.
 Park and recreational benches.
 Parking meters.
 Pencils, mechanical or automatic.
 Pen holders.
 Permanent wave machines.
 Pet beds.
 Pet cages.
 Pet dishes.
 Phonograph motors, hand wound.
 Phonograph record blanks.
 Photographic accessories.
 Physical reducing machines.
 Picture and mirror hardware.
 Pie plates—except commercial or institutional.
 Pipe cases.
 Pipe-cleaner knives.
 Plant and flower supports.
 Pleasure boats.
 Pneumatic tube delivery systems¹ except industrial.
 Polishing-wax applicators.
 Polishing-wax sprayers.
 Portable bath tubs.
 Poultry incubator cabinets.
 Push carts.
 Push plates and kick plates, doors.
 Racquets.
 Radiator enclosures.
 Radio antennae poles¹—except on ratings of A-2 or higher.
 Refrigerator containers and trays, household.
 Rotary door bells.
 Salesmen's display cases and sales kits.
 Salt and pepper holders.
 Sample boxes.
 Scaffolding.

¹ Maintenance and repair excepted.

Screen frames—except industrial processing.
 Scrubbing boards.
 Service food trays.
 Sewer pipe, exterior installations¹—except for vents and within 5 ft. of buildings.
 Sheet iron or hoop iron packings for cookies and sweet goods.
 Shirt and stocking dryers.
 Shoe cleaning kits.
 Shower receptors—except frames.
 Shower stalls—except frames.
 Show window lighting and display equipment.
 Sign hanger frames.
 Sign posts.
 Signets.
 Silos¹—except strapping and reinforcing.
 Sink aprons and legs.
 Sink drainboards, both integral and removable.
 Sitz baths.
 Skates, roller and ice.
 Ski racks.
 Slide fasteners.
 Snow shovels and pushers, hand and power propelled¹—except A-1-j or higher.
 Spittoons.
 Sporting and athletic goods—except that fully fabricated skates, cleats, and similar items may be attached to athletic shoes without restriction.
 Spray containers, household.
 Stadiums.¹
 Stamped bakery equipment—except pie plates for commercial or institutional use.
 Starter shingle strips.
 Statues.
 Steel wool for household use made from other than waste.
 Store display equipment and show cases.
 Structural steel home construction.
 Subway turnstiles.¹
 Sugar cube dryer trays.
 Sugar holders.
 Swivel chairs.
 Table name-card holders.
 Table tops for household use.
 Tablets.
 Tags: Key: name; price; identification—except:
 (a) Personnel identification tags or badges where metal tags or badges are required for protection of governmental agencies.
 (b) Personnel identification tags or badges containing not more than ¾ ounce of iron and steel where metal tags or badges are required for protection of industrial plants.
 (c) Metal tags required for identification of livestock and poultry and products made therefrom.
 (d) Pin attached or wire attached tickets for price marking soft goods.
 (e) Metal tags for marking and identification of export shipments of iron and steel.
 Tanks (strapping excluded):
 Dipping—for animals.
 Watering—for animals.
 Feeding—for animals.
 Storage, beer.
 Storage, water¹—except:
 (a) In tropical climates.
 (b) Heights in excess of 100 ft.
 (c) Range boilers and hot water storage.
 (d) Pneumatic pressure tanks 82 gallon size and 31 gallon or smaller size.
 Teapots.
 Telephone bell boxes—except bases and where required for safety.
 Telephone booths.
 Telescopes—except U. S. Government agencies.
 Terrazzo spacers and decorative strips—except hospital operating rooms.
 Thermos jugs and bottles over 1 qt.
 Thermometer bases, household.
 Tile, steel-back.
 Tongs, food handling and household use.
 Tool boxes—except industrial.

Tool cases—except industrial.
 Tool handles—except power-driven.
 Urinals.
 Wagon bodies and frames¹—except for construction.
 Voting machines.
 Wardrobe trunks.
 Wastebaskets.
 Water color paint boxes.
 Weather stripping.
 Wheelbarrows—except wheels.
 Whiskey service sets.
 Window display advertising.
 Window stools.
 Window ventilators—except industrial and hospitals.
 Wine coolers.
 Wine service sets.
 Wire parcel handles and holders.
 Wire racks and baskets—except
 (a) Industrial.
 (b) Scientific laboratory equipment.
 (c) Animal cages for biological work.
 Work benches—except shipboard and industrial where required for safety.

SUPPLEMENTARY LIST A

Item	Governing date
Accessories, soda fountain ¹	July 15, 1942
Adhesive tape sleeves.....	July 15, 1942
Automobile heaters, except for passenger carriers, as defined in L-158, police cars, ambulances, trucks and fire wagons ¹	July 15, 1942
Balers, paper for household use	
Ball park equipment, including but not limited to:	
Cages. ¹	
Fences.	
Lighting systems, except lamp bulbs.	
Metal bases.	
Protective netting. ¹	
Railings.	
Rollers.	
Score boards.	
Screens. ¹	
Seats. ¹	
Tampers.....	July 15, 1942
Barber and beauty shop supplies, machines and equipment ¹	July 15, 1942
Barn pushers and scrapers.....	July 15, 1942
Barware and bar accessories.....	July 15, 1942
Beach umbrellas.....	July 15, 1942
Beverage bottle cases, including but not limited to beer and all soft drinks.....	July 15, 1942
Blocks, hat.....	July 15, 1942
Bowling Alleys, bowling pins and accessories ¹	July 15, 1942
Bread and cake boxes, household.....	July 15, 1942
Bread slicers for home use, except knives.....	July 15, 1942
Brushes and brush backs, except industrial.....	July 15, 1942
Buckles for	
Shoes, except for waterproof shoes	
Pocketbooks.....	July 15, 1942
Buttons for clothing, except for overalls, overall suits and dungarees.....	July 15, 1942
Cabinets for diathermy, sinusoidal and galvanic apparatus.....	July 15, 1942
Cafeteria and restaurant equipment of stainless steel ¹	July 15, 1942
Cake icing equipment.....	July 15, 1942
Calendar and memo pad stands.....	July 15, 1942
Calliopes or steam organs.....	July 15, 1942
Canes.....	July 15, 1942
Carillons.....	July 15, 1942
Casket carriers ¹	July 15, 1942
Carrousels (merry-go-rounds).....	July 15, 1942

Item—Continued	Governing date
Cases, vanity.....	July 15, 1942
Chamber pots.....	July 15, 1942
Chicken house scrapers.....	July 15, 1942
Circus and carnival apparatus, equipment ¹ and devices, including but not limited to:	
Animal cages. ¹	
Animal stands.	
Tent standers.	
Trailers. ¹	
Trapeze bars.....	July 15, 1942
Clothing trim and dress ornaments.....	July 15, 1942
Coasters and trivets for glass and hot containers.....	July 15, 1942
Coin changers, except for public transportation.....	July 15, 1942
Combs, hair combs except curry combs.....	July 15, 1942
Containers for cosmetics and toiletries.....	July 15, 1942
Closures for toiletries and cosmetics.....	July 15, 1942
Crochet hooks.....	July 15, 1942
Curtain stretchers.....	July 15, 1942
Desk equipment, including, but not limited to:	
Desk sets	
Desk pads.	
Fountain pen and pencil stands.	
Paper weights.	
Letter openers.	
Name plates.	
Dishwashing racks, household.....	July 15, 1942
Display forms.....	July 15, 1942
Door mats.....	July 15, 1942
Drapery and curtain fasteners and rings.....	July 15, 1942
Dust covers and enclosures except industrial ¹	July 15, 1942
Easels—all types.....	July 15, 1942
Embalming tables ¹	July 15, 1942
Exercising and reducing machines ¹	July 15, 1942
Exhibition and fair apparatus and equipment, ¹ including but not limited to:	
Lighting equipment.	
Racks.	
Stands.	
Fences, chain link, A-2 or higher.....	July 15, 1942
Fireplace dampers.....	Sept. 3, 1942
Flatware, except cooking and eating utensils.....	July 15, 1942
Floats for pageants, parades, advertising, etc., except trucks.....	July 15, 1942
Floor scrapers, except power-driven.....	July 15, 1942
Floral tools and floral hoes.....	July 15, 1942
Frames, clothes drying.....	July 15, 1942
Frames for artists' canvas and darning and needle work.....	July 15, 1942
Fruit juice extractors, household ¹	July 15, 1942
Galley and mess equipment of stainless steel ¹	July 15, 1942
Game and gambling devices.....	July 15, 1942
Garbage grinders, household ¹	July 15, 1942
Garden trowels.....	July 15, 1942
Garment hangers.....	July 15, 1942
Gas toasters, household.....	July 15, 1942
Glassware holders and trim (except on cooking utensils).....	July 15, 1942
Grass whips.....	July 15, 1942
Hair combs, except curry combs.....	July 15, 1942
Hand seals for documents.....	July 15, 1942
Hand weavers.....	July 15, 1942
Handles, broom and mop.....	July 15, 1942
Harness and saddlery fittings, except for draft, work and ranch animals ¹	July 15, 1942
Heat resisting pads for kitchen use.....	July 15, 1942
Highway railroad flasher lights (except lamp bulbs) ¹	July 15, 1942

Item—Continued	Governing date
Highway guard rail, wire, strip and posts ¹	July 15, 1942
Highway guard rail reflectors ¹	July 15, 1942
Hitching posts.....	July 15, 1942
Hoops galvanized wire for flower garden trim.....	July 15, 1942
Hospital equipment: ¹	
Anesthesia tables, except for use in operating rooms.	
Arm immersion stands.	
Back rests.	
Bassinets, except for frame and basket.	
Bed feeding and reading trays.	
Bath cabinets, except for hospital use.	
Bedside panel screens.	
Bed trays.	
Blanket warming cabinets.	
Book trucks, except wheel tires.	
Bowl stands, except for use in operating rooms.	
Chairs, other than examining or specialist chairs or dental chairs.	
Chart holders, except necessary hardware.	
Chiropractic adjustment tables.	
Clothes hampers.	
Commodes, except receptacle.	
Couch tables.	
Dish trucks, except wheel tires.	
Dental cabinets.	
Dressing stands.	
Dressing carriage, except frame and necessary hardware.	
Examining tables, non-adjustable.	
Ice trucks, except wheel tires.	
Instrument cabinets, except for use in operating rooms.	
Instrument tables, except for use in operating rooms.	
Linen trucks, except wheel tires.	
Laundry trucks, except wheel tires.	
Linen hampers, except for frames.	
Needle cabinets, except for use in operating rooms.	
Nurses' work tables.	
Orthopedic and fracture carts except wheel tires and frames.	
Overbed and swing overbed tables.....	July 15, 1942
Partitions.....	Sept. 3, 1942
Record and chart desks and racks.	
Shelf trucks, except wheel tires and frame (not food).	
Step-on cans, except receptacle, and mechanism other than those for use in operating rooms.	
Sterilizer stands, except frame and top.	
Stools, except for use in operating rooms and except mechanism for adjustable stools.	
Supply and treatment cabinets, except for operating rooms.	
Stretchers, wheel type, except wheel tires and frame.	
Tables, examining, adjustable, except frame and operating mechanism.	
Thermometer baskets.	
Utensil racks.	

¹ Repair and maintenance excepted.

Item—Continued	Governing date
Hospital equipment—Con.	
Vasodilator — oscillating beds.	
Wall shelf stands, except for use in operating rooms.	
Wheel chairs, except essential hardware	July 15, 1942
Humidors	July 15, 1942
Ice cream cabinets of stainless steel	July 15, 1942
Ironing boards and stands	July 15, 1942
Kaleidoscopes	July 15, 1942
Key cases, chains and rings	July 15, 1942
Keys for opening cans	July 15, 1942
Lanterns, magic	July 15, 1942
Lawn brooms	July 15, 1942
Lawn edgers	July 15, 1942
Lawn rakes	July 15, 1942
Lawn rollers ¹	July 15, 1942
Lawn tampers	July 15, 1942
Lawn seeders ¹	July 15, 1942
Logs, artificial for gas and electric fireplaces	July 15, 1942
Luggage, except locks ¹	July 15, 1942
Memorial tablets	July 15, 1942
Metal dust covers and enclosures, except industrial	July 15, 1942
Monograms and initials	July 15, 1942
Outing spades	July 15, 1942
Pads, inking and stamping	July 15, 1942
Parasols, shafts and handles	July 15, 1942
Partitions	Sept. 3, 1942
Pet equipment, including but not limited to (except license tags):	
Chains.	
Collars.	
Feeders.	
Houses.	
Leashes.	
Muzzles.	
Carriers	July 15, 1942
Picnic and outing boxes and accessories	July 15, 1942
Playground equipment	Sept. 3, 1942
Play pens, boxes and enclosures, children's	July 15, 1942
Pitchers, except for hospital use	July 15, 1942
Pocketbook ornaments	July 15, 1942
Racetrack apparatus and equipment, ¹ including but not limited to:	
Mutuel ticket machines.	
Pari-mutuel boards.	
Race finish photographic equipment.	
Starting gates	July 15, 1942
Railing, barriers, and fences, except livestock and poultry enclosures, and essential industrial use	July 15, 1942
Railroad rail joint angle bars over 24" in length, except for replacement on used rails ¹	July 15, 1942
Reading stands	July 15, 1942
Refrigerators and refrigeration equipment of stainless steel, except essential machinery parts	July 15, 1942
Regalia	July 15, 1942
Rodeo equipment, including but not limited to:	
Animal trappings.	
Gates. ¹	
Fences.	
Rolling boardwalk chairs ¹	July 15, 1942
Rolling pins	July 15, 1942
Scales, coin operated	July 15, 1942
Scenery and stage hardware equipment ¹ , for dramatic theatrical and operatic use, except lamp bulbs, including but not limited to:	
Battens.	
Cables.	
Lights.	
Reflectors.	
Stage drops.	

Item—Continued	Governing date
Score boards	July 15, 1942
Shoe ornaments	July 15, 1942
Shutters, window, except where required in industrial use by underwriters ¹	July 15, 1942
Sidewalk scrapers	July 15, 1942
Siphon chargers	July 15, 1942
Skating rink apparatus and equipment ¹	July 15, 1942
Sleds, except runners	July 15, 1942
Sleighs, except runners	July 15, 1942
Smokers' accessories	July 15, 1942
Sod lifters	July 15, 1942
Spading forks, children's	July 15, 1942
Sprinkling cans, garden	July 15, 1942
Stairs and threshold treads, household, institutional and commercial buildings, except for fire escape and essential industrial use ¹	July 15, 1942
Stands and racks for colonic irrigation apparatus	July 15, 1942
Stretchers, glove, sock and sweater	July 15, 1942
Sun dials	July 15, 1942
Sun lamps and infra-red lamps, except for professional and hospital use, and except where lamps and reflectors are used for drying and baking	July 15, 1942
Swimming pool equipment, ¹ including but not limited to:	
Diving boards.	
Diving stands.	
Ladders.	
Slides	July 15, 1942
Tickers, stock	July 15, 1942
Ticket vending machines, except for public transportation	July 15, 1942
Trailer bodies, ¹ except tank and dump bodies and essential hardware, structural and bracing members for bodies essentially of wood construction	July 15, 1942
Transplanting trowels	July 15, 1942
Treads, stair and household, threshold, institutional and commercial buildings ¹	July 15, 1942
Trophies	July 15, 1942
Truck bodies, ¹ except tank and dump bodies and essential hardware, structural and bracing members for bodies essentially of wood construction	July 15, 1942
Trunks, except locks ¹	July 15, 1942
Turf edgers	July 15, 1942
Umbrellas, garden	July 15, 1942
Umbrella shafts and handles	July 15, 1942
Vanity cases	July 15, 1942
Vending machines, ticket, except for public transportation	July 15, 1942
Waste paper receptacles	July 15, 1942
Watch straps	July 15, 1942
Water troughs ¹	July 15, 1942
Weather vanes	July 15, 1942
Weed cutters and pullers, including dandelions, thistle and dock	July 15, 1942

LIST C

Access panels—for use on board ship, on military vehicles, and where climatic or safety conditions make necessary.

Accessories—soda fountain—for use on board ship.

Acoustical ceilings—for use on board ship.

Air conditioning systems—for hospital operating rooms and industrial plants (excluding offices), for use on board ship, for use outside continental limits of the United States, for use in fortifications, for handling and storage of explosives, for storage and handling of instruments critical to temperature or humidity, for use in gas proofing installations, and for use

¹ Maintenance and repair excepted.

in mobile surgical vehicles and laboratory vehicles.

Attic fans—where climatic conditions make necessary.

Automobile accessories.

Automobile heaters—where specified for military vehicles.

Automotive replacement parts, non-functional.

Awning frames and supports—for use on board ship, military repair units, hospital installations, and military construction units.

Barber shop supplies.

Baskets—for cooking and manufacturing uses and for ordnance operations.

Bath tubs—for use on board ship and in hospitals.

B-B shot—for training and shot blast cleaning purposes.

Beds—for use on board ship; beds containing not more than 5 pounds of iron or steel, excluding springs.

Bed spring frames—for use on board ship and for maintenance and repair.

Bench legs.

Binoculars.

Bird cages—for carrier pigeons.

Bird feeders—for carrier pigeons.

Biscuit boxes—for use on board ship or where climatic conditions make necessary.

Bleachers and grandstands—but only straps and necessary fasteners for demountable wooden bleachers and grandstands.

Bottle holders—for use on board ship and in hospitals.

Bread racks.

Brushes, wire bristles only.

Buttons.

Cabinets—for mobile units such as maintenance company equipment (truck mounted), spare parts trucks and mobile reproduction units, and for electrical installations, hospital operating and examining rooms, and office furniture as permitted by L-13-a and L-62.

Canopies and supports—for use on board ship, military repair units, hospital installations, and military construction units.

Cans or containers for anti-freeze, candy, coffee, nuts—where climatic conditions make necessary.

Cash boxes.

Casket handles.

Ceilings—for use on board ship, but only where necessary.

Cigarette lighters—for use outside continental limits of United States, for sale by Post Exchanges at ports of embarkation, and for sale by Ships Service Stores on board ship.

Clock cases.

Clothing trim.

Coffee roasting machinery.

Cooking stoves—commercial electric.

Counter tops—for use on board ship.

Culverts—for airports, for use outside continental limits of the United States, and where certified to the manufacturer or supplier as necessary by the Army or Navy engineer in charge.

Cups of all kinds, drinking.

Dishwashing machines.

Door closers—for fire prevention, for use on board ship, and where climatic or safety conditions make necessary.

Door handles—for fire prevention, for use on board ship, for military vehicles, and where climatic or safety conditions make necessary.

Door stops—for use on board ship and where climatic or safety conditions make necessary.

Drapery and curtain fasteners and rings—for use on board ship.

Dust collecting systems and equipment.

Dust covers and enclosures—when specified for military vehicles.

Electric drinking water coolers—for use on board ship, in hospitals and in tropical climates.

Erasing knives.
 Fences, chain link, weighing not more than 2 pounds per lineal foot and not more than .33 pounds per square foot.
 Flag staffs and flag masts—for use on board ship, and on military vehicles.
 Flashlight tubes.
 Floor and ceiling plates for piping, for use on board ship, for military vehicles, and where climatic or safety conditions make necessary.
 Floor polishing machines—maintenance and repair only.
 Furniture—for use on board ship.
 Galley and mess equipment of stainless steel, but only—
 Clad stainless steel for steam tables and warming pans.
 Single clad stainless steel on inside of steam jacketed kettles.
 Clad stainless steel bottoms and solid stainless steel sides for pressure cookers.
 Non-nickel bearing stainless steel clad doors and other parts coming in direct contact with food in cold storage spaces on board ship.
 Non-nickel bearing stainless steel linings for coffee urns.
 Stainless steel single clad sinks and dresser tops for use on board ship.
 Non-nickel bearing stainless steel liners for portable water coolers.
 Non-nickel bearing stainless steel for tanks and hoods of dish washing machines.
 Metal sponges from non-nickel bearing stainless steel wire.
 Compartment mess trays, but only from existing finished stocks of stainless steel or new stainless steel, only if the processing is past the melting stage on September 3, 1942.
 Games.
 Garage hoists and car lifts.
 Grilles—sewer.
 Hand mirrors—for signal use.
 Hand seals for documents.
 Harness and saddlery fittings.
 Hat frames, wire and gimps.
 Hat-making machinery, but only—
 Blocking machines with complete sets of blocks.
 Sets or dies for cutting parts.
 Helmets.
 Hose reels.
 Hospital equipment—
 Arm immersion stands.
 Bed trays.
 Bedside panel screen frames—for use in operating rooms, and outside continental limits of United States.
 Bowl stands—for use in operating rooms and on board ship.
 Cabinets—X-ray film filing.
 Cabinets for diathermy, sinusoidal and galvanic apparatus.
 Chart holders.
 Commodes—for hospital use outside continental limits of United States.
 Dish trucks—frames and wheel tires only.
 Dressing stand frames.
 Examining tables, non-adjustable—for use on board ship and in Field Hospitals.
 Instrument cabinets.
 Instrument tables.
 Nurses' work tables.
 Overbed and swing overbed tables—functional parts only.
 Stands and racks for colonic irrigation apparatus.
 Sterilizer stands.
 Supply and treatment cabinets.
 Utensil racks.
 Ice box exteriors—for use on board ship, mobile type refrigerators, and for use where climatic conditions make necessary.

Ice cube trays.
 Incinerators.
 Keys for opening cans.
 Laundry trays—for use on board ship.
 Lavatories—for use on board ship and outside continental limits of United States.
 Lockers—for office equipment as limited by Limitation Order L-13-a, for use on board ship, military vehicles, outside continental limits of United States and in ordnance plants.
 Mail boxes—for use on board ship.
 Mailing tubes—for transportation of cultures of bacteria.
 Measuring pumps and dispensers for gasoline stations and garages, including but not limited to—
 Gasoline dispensing pumps.
 Grease pumps.
 Oil pumps.
 Kerosene pumps.
 Air pumps.
 Pads, inking and stamping.
 Paint spray outfits.
 Partitions—for use in hospitals and on board ship.
 Pencils, mechanical or automatic functional parts only, except for resale.
 Phonograph motors, hand wound.
 Phonograph record blanks.
 Photographic accessories.
 Pie plates.
 Pitchers.
 Pneumatic tube delivery systems.
 Portable bath tubs.
 Push carts—for ordnance and combat organizations.
 Radio antennae poles.
 Railings—for use on board ship.
 Scaffolding—for use in shipyards, airfields and other places where use of wood scaffolding is impracticable.
 Screen frames.
 Sewer pipe, exterior installations—for pressure lines only.
 Shirt and stocking dryers of cast iron only.
 Shower receptors—for use on board ship.
 Shower stalls—for use on board ship.
 Sink aprons and legs—for use on board ship.
 Sink drainboards, both integral and removable—for use on board ship and where required for sterilization.
 Siphon chargers for life jacket inflation.
 Slide fasteners.
 Snow shovels and pushers, hand and power propelled.
 Sporting and athletic goods.
 Stamped bakery equipment.
 Swivel chairs—for use on board ship.
 Tags—identification (name).
 Tags—for marking ammunition.
 Tanks, storage, water, but only for use on board ship, mobile units, range boilers and hot water storage, use outside continental limits of United States, heights in excess of 100 feet, pneumatic pressure tanks.
 Telephone bell boxes—for use on board ship or where climatic or safety conditions make necessary.
 Telescopes.
 Thermos jugs and bottles.
 Tile, steel back—for ladder treads, step plates and use on board ship.
 Tool boxes.
 Tool cases—for mobile equipment.
 Tool handles, where specified.
 Truck and trailer units and bodies, where specifically designed for military purposes.
 Urinals—for use on board ship, and outside continental limits of United States.
 Waste baskets—for hospital use only.
 Water troughs, frame and support only.
 Wheelbarrows.
 Wire racks and baskets.
 Work benches where wooden benches will not stand up under ordinary use.

LIST D

(Other Scarce Materials)

Metals—all.
 Rubber.

[F. R. Doc. 42-10251; Filed, October 12, 1942; 11:47 a. m.]

PART 1198—GLASS CONTAINER AND CLOSURE SIMPLIFICATION

[Schedule C to Limitation Order L-103, as Amended September 30, 1942.]

GLASS CONTAINERS FOR PRESERVES AND JELLY

§ 1198.4 *Schedule C to Limitation Order L-103—(a) Definitions.* For the purposes of this schedule:

(1) "Preserves and jelly," means the following:

(i) The product made from fruits, berries, fruit and berry juices and sugar by evaporation according to standards of identity established by the Food and Drug Administration;

(ii) The food products commonly known as preserves, conserves, jams, jellies, marmalades, fruit butters and imitations although same may deviate from the Food and Drug Administration standards;

(iii) The term shall not include aspic or meat jellies.

(2) "Standard glass container for preserves and jelly" means any of the following:

(i) A tumbler with a finish not larger than 68 mm. and with an overflow capacity of 9.4 fluid oz.

(ii) A tumbler with a finish not larger than 73 mm. and with an overflow capacity of 12½ fluid oz.

(iii) A glass container described in Exhibits 10, 14, 18, 22, and 23 of Limitation Order L-103, which possesses the finish prescribed for the respective container in the said Exhibits or any other Glass Container Association standard finish which is interchangeable therewith without alteration of the specified body mold.

(b) *Restrictions on use.* With the exceptions set forth in paragraph (c) of this schedule, on and after September 12, 1942:

(1) No person shall use a glass container other than a standard glass container as herein defined for the packaging of preserves and jelly for sale.

(2) No person shall use the standard glass container described in subparagraph (a) (2) (i) of this schedule for the packing for sale of any commodity herein described as "preserves and jelly," except jelly.

(3) No person shall use the standard glass container having a capacity of one quart and described in Exhibit 18 of Limitation Order L-103 for the packaging for sale of any commodity herein

¹ This document is a restatement of Amendment 1 to Schedule C to L-103 which appeared in the FEDERAL REGISTER of October 1, 1942, page 7775, and reflects the order in its completed form as of September 30, 1942.

defined as preserves and jelly, except fruit butter.

(c) *Exceptions.* (1) Nothing in this schedule shall prevent the use for the packaging of preserves and jelly of any non-standard glass containers which were

(i) Completely manufactured on or before the 12th day of September, 1942, or

(ii) Which have the same capacity as any standard glass container described in this schedule, and were completely manufactured prior to January 1, 1943, from a mold actually in existence prior to September 12, 1942.

Provided, however, That no person shall use for the packaging of preserves and jelly for sale any glass container purchased or delivered on or after September 12, 1942, which has a capacity differing from those established for standard glass containers by this schedule, unless and until he shall have received from his seller a certificate or certificates covering all such containers so used, manually signed by such seller, or by an individual authorized to sign for such seller, in the following form:

The undersigned hereby certifies to the vendee and to the War Production Board that those containers covered by the annexed purchase order which have capacities differing from those established for standard glass containers in Schedule C to Limitation Order L-103 were completely manufactured on or before September 12, 1942.

And no person shall use for the packaging of preserves and jelly for sale any non-standard glass container purchased or delivered after January 1, 1943, unless said certificate, in addition to the foregoing, shall state:

And those non-standard containers covered by the annexed purchase order having the same capacities as those established for standard glass containers in Schedule C to Limitation Order L-103 were completely manufactured on or before January 1, 1943, from a mold actually in existence prior to September 12, 1942.

And provided further, That no person shall be entitled to rely on any such certificate if he knows or has reason to believe it to be false.

(2) Nothing in this schedule shall restrict the sale, delivery, use or manufacture of glass containers larger than one gallon capacity, of designs that existed on May 11, 1942.

(3) Nothing in this schedule shall be deemed to prevent or restrict the use for the packaging of preserves and jelly of any non-standard glass containers by a person who packed less than 1000 pounds of preserves and jelly for sale during the twelve months' period beginning September 1, 1941, and ending August 30, 1942.

(4) Except as specifically permitted by the exhibits referred to in paragraph (a) (2) (iii) of this schedule, lettering on standard glass containers for preserves and jelly shall be limited to the manufacturer's identification (which may include trademark, name, symbol), place of manufacture, date of manufacture by year, design number, and mold or cavity number.

(d) *Manufacture.* On and after September 12, 1942 no molds may be manufactured for a preserves or jelly jar or

finish which does not conform to the specifications of a standard glass container for preserves and jelly, nor may any mold for a glass container for preserves or jelly be replaced—whether because of wear or for any other reason—except by a mold which conforms to the said specifications.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of September 1942.

ERNEST KANZLER,
Director General for Operations.

F. R. Doc. 42-10249; Filed, October 12, 1942;
11:45 a. m.]

PART 3022—SILVER

Conservation Order M-199 as Amended
September 28, 1942¹

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of silver for defense, for private account, and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3022.1 *Conservation Order M-199—*
(a) *Definitions.* For the purposes of this order:

(1) "Silver" means silver bullion, silver scrap and other secondary forms of silver, and any alloy, compound, salt, or mixture containing more than one-half of one per cent of silver by weight. The term does not include alloyed gold produced in accordance with U. S. Commerce Standards CS 51-35 and CS 67-38.

(2) "Foreign silver" means any silver except that which has been produced since July 1, 1939, from mines situated inside of the territorial limits of the United States, its territories and possessions. It also includes foreign silver scrap and other secondary forms of foreign silver, and any alloy, compound, salt, or other mixture containing more than one-half of one per cent of foreign silver by weight. *Provided, however,* That scrap and other secondary forms of silver resulting from the processing of silver produced since July 1, 1939, from mines situated inside of the territorial limits of the United States, its territories and possessions, shall be considered as excepted from the category of "foreign silver," as such term is used herein, only as long as such scrap and secondary form of silver remains in the ownership of the person whose processing operations produced it.

(3) "Restricted use" means a use of silver in the manufacture of a product or part thereof or in any other use appearing upon List A hereto attached.

(4) "Inventory" of a person includes the inventory of affiliates and subsidiaries of such person, and the inventory of

others where such inventory is under the control of or under common control with or available for the use of such person.

(5) "Manufacturer" means any person who uses silver by incorporating it physically in the products or parts thereof which he manufactures or who uses or consumes silver in any manufacturing, testing, laboratory, plating, or repairing process.

(6) "Supplier" means any person who imports, smelts, alloys, melts, rolls, or refines silver, or who sells silver to manufacturers. The term includes distributors.

(7) "Process" means cut, draw, machine, stamp, melt, cast, forge, roll, turn, spin, or otherwise shape. It also means assemble. The term does not include sand-bobbing, buffing, or polishing an assembled article.

(8) "Put into process" means the first change by the manufacturer in the form of material from that form in which it is received by him.

(9) The term "assemble" shall not be deemed to include the putting together of an article after delivery to a sales outlet or consumer in knockdown form pursuant to an established custom. The term "assemble" shall also not be deemed to include adding finished parts to an otherwise finished article when the placing of one or more finished parts or the size or type of one or more finished parts is determined by the use to which the ultimate consumer is to put the article. In all other cases, the term "assemble" shall be deemed to include adding parts, whether of silver or of any other material, to an article of silver, where such article is not deemed complete and ready for immediate sale or use until such parts have been added, including adding gems, stones, or glass jewels or beads to articles or parts of silver, and adding brushes, combs, knives, forks, or other utensils to backs or handles of silver.

(10) The term "deliver" shall not be deemed to include a redelivery of silver to the owner thereof, who is a manufacturer, by a person to whom such owner delivered such silver to be alloyed or processed and returned to such owner for further processing; nor does it include the delivery under the same circumstances by the owner to the person who alloys or processes the silver for the owner.

(11) The term "receive" shall not be deemed to include a receipt of silver by the owner thereof, who is a manufacturer, from a person to whom such owner delivered such silver to be alloyed or processed and returned to such owner for further processing; nor does it include the receipt under the same circumstances from the owner by the person who alloys or processes the silver for the owner.

(b) *Restrictions upon sale or delivery of foreign silver for restricted uses.* No supplier shall sell foreign silver except to a supplier or a manufacturer. No

¹This document is a restatement of Amendment 2 to M-199 which appeared in the FEDERAL REGISTER of September 29, 1942, page 7664, and reflects the order in its completed form as of September 28, 1942.

manufacturer shall sell foreign silver in the form of raw material, semi-processed material, or scrap except to a supplier or to fill orders bearing a preference rating of A-3 or higher or to Metals Reserve Company or any other corporation organized under section (5) (j) of the Reconstruction Finance Corporation Act as amended. Between July 29, 1942, and October 1, 1942, except to fill orders bearing a preference rating of A-3 or higher, no supplier shall sell or deliver foreign silver to any manufacturer for restricted uses in excess of one-twelfth of the aggregate amount by weight of such foreign silver sold or delivered by him to such manufacturer for restricted uses during the calendar year 1941 or in excess of one-sixth of the aggregate amount by weight of such foreign silver sold or delivered to him by such manufacturer for restricted uses during the period from January 1, 1942, to July 1, 1942, whichever is greater; and after October 1, 1942, except to fill orders bearing a preference rating of A-3 or higher, no supplier shall sell or deliver any foreign silver to any manufacturer for restricted uses. No supplier shall sell or deliver foreign silver to any person if he knows, or has reason to believe, such silver is to be received or used in violation of the terms of this order.

(c) *Restrictions upon purchase or receipt of foreign silver for restricted uses.* Between July 29, 1942, and October 1, 1942, except to fill orders bearing a preference rating of A-3 or higher, no manufacturer shall purchase or receive foreign silver for restricted uses in excess of one-twelfth of the aggregate amount by weight of such foreign silver purchased or received by such manufacturer for restricted uses during the period from January 1, 1942, to July 1, 1942, whichever is greater; and after October 1, 1942, except to fill orders bearing a preference rating of A-3 or higher, no manufacturer shall purchase or receive any foreign silver for restricted uses.

(d) *Restrictions upon manufacture of foreign silver for restricted uses.* Between July 29, 1942, and October 1, 1942, except to fill orders bearing a preference rating of A-3 or higher, no manufacturer shall put into process foreign silver for restricted uses in excess of one-twelfth of the aggregate amount by weight of such foreign silver put into process by such manufacturer for restricted uses during the year 1941 or in excess of one-sixth of the aggregate amount by weight of such foreign silver put into process by such manufacturer for restricted uses during the period from January 1, 1942, to July 1, 1942, whichever is greater. Except to fill orders bearing a preference rating of A-3 or higher, no manufacturer

shall put into process any foreign silver for restricted uses, nor shall he process further any partially processed products or parts thereof of foreign silver on List A, unless the foreign silver was put into process prior to October 1, 1942, and unless the products or parts will be finished by November 15, 1942. After October 1, 1942, except to fill orders bearing a preference rating of A-3 or higher, no manufacturer shall put into process any foreign silver for restricted uses; and after November 15, 1942, except to fill orders bearing a preference rating of A-3 or higher, no manufacturer shall process any foreign silver for restricted uses.

(e) *Delivery certificate for foreign silver.* No supplier shall deliver foreign silver to any manufacturer and no manufacturer shall receive foreign silver from any supplier unless the manufacturer shall make and deliver to the supplier, or endorse on the purchase order, a certificate, manually signed by the manufacturer or a responsible official thereof, in substantially the following form, to-wit:

The undersigned hereby certifies that he is familiar with the terms of Conservation Order M-199; that he is a manufacturer as such term is used in such order; and that the foreign silver covered by the accompanying order of even date shall be received and used as permitted by said Order M-199.

Dated _____
Name _____
By _____

Such certificate shall constitute a representation by the manufacturer to the supplier and the War Production Board of the facts stated therein. The supplier shall be entitled to rely on such representation unless he knows or has reason to believe it to be false.

(f) *General exception.* None of the restrictions in this order as to sale, purchase, delivery, receipt, or use of foreign silver shall be applicable to the United States or any of its departments or governmental agencies.

(g) *Repair exception.* The restrictions of this order shall not apply to a person repairing a used article on or off the premises of the owner, if the person making the repair does not use foreign silver weighing in the aggregate more than 5 ounces and if any putting into process or processing done by such person is for the purpose of making the specific repair.

(h) *Limitations of inventories.* No manufacturer shall receive delivery of foreign silver, in the form of raw materials, semi-processed materials, finished parts, or sub-assemblies, nor shall he put into process any raw material, in quantities which in either case shall result in an inventory of raw, semi-processed, or finished material in excess of a minimum practicable working inventory, taking into consideration the limitations placed upon the use of foreign silver by this order.

(i) *Reports.* Each supplier and each manufacturer and every other person affected by this order shall file such reports as may be requested from time to

time by the Director General for Operations.

(j) *Miscellaneous provisions—(1) Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of silver conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the War Production Board by letter or other written communication, in triplicate, setting forth the pertinent facts and the reasons he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(2) *Applicability of order.* The prohibitions and restrictions contained in this order shall apply to the use of material in all items manufactured after July 29, 1942 irrespective of whether such items are manufactured pursuant to a contract made prior or subsequent to July 29, 1942. Insofar as any other order of the Director General for Operations may have the effect of limiting or curtailing to a greater extent than herein provided, the use of foreign silver in the production of any item, the limitations of such other order shall be observed.

(3) *Applicability of Priorities Regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Miscellaneous Minerals Branch, Washington, D. C. Ref.: M-199.

(5) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 28th day of September, 1942.

ERNEST KANZLER,
Director General for Operations.

LIST A

RESTRICTED USES OF FOREIGN SILVER UNDER CONSERVATION ORDER M-199

1. Silverware, including, without limitation, knives, forks, spoons, plates, platters, dishes, pitchers, vases, cups, candlesticks, and all other kinds of flatware and holloware and table, kitchen, and decorative utensils and objects.

2. Watch cases and jewelry, including, without limitation, costume jewelry, blackout jewelry and other articles of personal adornment.

3. Badges and insignia.

4. Church goods as defined in General Limitation Order L-136.

5. Slide fasteners, hooks and eyes, snaps, fasteners, and buttons.

6. Closures for containers.

7. Pens and pencils.

8. Toilet sets and picture frames.

9. Musical instruments.

10. Electroplating, not necessary for operational purposes, except for use in the manufacture and repair of dental, surgical, and veterinary instruments, appliances and equipment.

11. Silverclad metal, except for use in the manufacture and repair of dental, surgical, and veterinary instruments, appliances, and equipment.

12. Insulated wire for electrical conductors.

INTERPRETATION 1

Conservation Order M-199 imposes certain limitations upon the amount of foreign silver which a manufacturer may put into process for restricted uses. In many silver manufacturing processes, a manufacturer starts with a certain amount of silver in primary shapes and ends the operation with a large part of such silver in the form of scrap. It is customary for the manufacturer in these cases to have this scrap melted, rolled, or otherwise processed so as to return it to a primary shape in which it can again be subjected to manufacturing processes. This reforming of the silver scrap in some instances is done by the manufacturer himself, in other instances the work is done by others under toll agreement. The question has been presented as to whether the processing of this reformed scrap must be considered as coming within the meaning of the term "put into process" or whether such processing of reformed scrap shall be considered as only the continuation of a processing operation which began when the manufacturer processed for the first time in any form for a restricted use the specific amount of silver from which such scrap was produced.

It is hereby determined that for the purposes of Order M-199, the term "put into process" shall be deemed to cover only the manufacturer's first processing for a restricted use of a given amount of silver. It shall not be deemed to cover the subsequent processing of reformed scrap produced therefrom, whether such reforming is done by the manufacturer himself or by others for him under toll agreement. The term shall be deemed to cover, however, the processing for a restricted use of reformed scrap which was produced in a manufacturing operation which is not restricted under the order.

[F. R. Doc. 42-10253; Filed, October 12, 1942; 11:47 a. m.]

PART 3042—PILCHARD

[Conservation Order M-206 as Amended September 30, 1942¹]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of pilchard for defense, for private account and for export, and the following order

¹ This document is a restatement of Amendment 1 of M-206 which appeared in the FEDERAL REGISTER of October 1, 1942, page 7776, and reflects the order in its completed form as of September 30, 1942.

is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3042.1 *General Preference Order M-206—(a) Definitions.* For the purposes of this order:

(1) "Delivery" means the transfer of pilchard to a processing plant, for canning or reduction, or to a place of storage, whether or not the same person owns or controls the vessel from which it is transferred, the plant, or the fish.

(2) "Pilchard" means raw, unprocessed pilchard (*Sardinia caerulea*), by whatever name known, including sardines.

(b) *Restrictions on delivery.* Unless authorized by the Director General for Operations, on and after September 1, 1942:

(1) No contract or agreement shall be entered into or carried out which directly or indirectly operates to place "limits" on the amount of pilchard which may be caught by any fishing vessel nor the frequency with which any pilchard fishing vessel shall leave port for or return from the fishing grounds.

(2) No fishing vessel with a cargo of pilchard aboard shall remain, or be required to remain, for more than twelve hours at a processing plant for unloading.

(3) No processing plant shall accept delivery of more pilchard than can be processed, by canning or reduction, in such plant within 48 hours after receipt of such pilchard.

(4) On and after September 30, 1942, no person shall make delivery of, or use or process such pilchard in violation of orders of the Director General for Operations issued pursuant to this paragraph. The Director General for Operations may from time to time allocate the supply of pilchard and specifically direct the time, manner and quantities in which deliveries to particular persons shall be made or withheld. He may require fishing vessels delivering pilchard to deliver part or all of such pilchard to particular ports or to particular persons. The Director General for Operations may also direct or prohibit particular uses of such pilchard.

(5) Orders given by the Director General for Operations pursuant to paragraphs (b) (1) through (b) (4) must be carried out without regard to inconsistent provisions in any contract or agreement.

(c) *Applications and reports.* (1) On and after September 1, 1942, no person owning or operating a fishing vessel shall make delivery of any pilchard to any person unless on or before the date of first delivery he files with the War Production Board a statement substantially in the form of Exhibit A attached hereto, certifying that he has not entered into any contract or agreement placing "limits" on his catch of pilchard, or if he has done so, that such "limits" are not now effective. Failure on the part of any person owning or operating a fishing vessel

to file such statement may be construed as notice to the Director General for Operations that such person does not desire to make delivery of pilchard to any person.

(2) On and after September 1, 1942, no person shall accept delivery of pilchard unless on or before the date on which delivery is desired, he shall have filed with the War Production Board a statement substantially in the form of Exhibit B, attached hereto, certifying that he has not directly or indirectly caused "limits" to be placed upon the catch of any vessel fishing for pilchard, or if he has done so, that such "limits" are not now effective. Failure by any person to file such statement may be construed as notice to the Director General for Operations that such person does not desire to accept delivery of pilchard.

(d) *Appeals.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship upon him may appeal to the War Production Board, by letter, setting forth the pertinent facts and reasons such person considers that he is entitled to relief. The Director General for Operations may take such action as he deems appropriate.

(e) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, purchases, production and sales.

(f) *Audit and inspection.* All records required to be kept by this order or by any rule, regulation or order of the Director General for Operations, shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(g) *Communications to War Production Board.* All reports and certifications required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Food Branch, San Francisco, California. Ref.: M-206.

(h) *Violations.* Any person who willfully violates any provision of this order or who willfully furnishes false information to the Director General for Operations in connection with this order, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the Director General for Operations.

(i) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of September, 1942.

ERNEST KANZLER,
Director General for Operations.

EXHIBIT A
WAR PRODUCTION BOARD

WASHINGTON, D. C.

*Pilchard (Pacific sardine) Fishing Vessel
Owner's Certificate*

The undersigned hereby certifies that he owns or operates the fishing vessel _____

(Name of vessel) _____, Official No. _____; that he

intends to operate such vessel in the pilchard fisheries during the season 1942-1943; that neither he nor anyone else has entered into any contract or agreement placing limits on the catch of the said vessel, or, if he or anyone else has done so, that such limits are not now effective; that no such agreement will be entered into during the effective life of Order M-206, with the terms of which he is familiar; that he will not deliver pilchard to any person who, under the terms of Order M-206, is not entitled to receive the same; and that he will comply with the said Order M-206 and all orders or instructions issued by the Director General for Operations pursuant thereto.

(Name of owner)

By _____
(Duly authorized official)

This certificate, when filled in, should be mailed to:

War Production Board
Food Branch
San Francisco, California Ref.: M-206

EXHIBIT B
WAR PRODUCTION BOARD

WASHINGTON, D. C.

Pilchard (Pacific sardine) Cannery and Reductionists Certificate

The undersigned hereby certifies that it is a processor of pilchard; that it is familiar with the terms of Order M-206 and agrees to comply with the said order and all orders or instructions issued by the Director General for Operations pursuant thereto; that it has not directly or indirectly caused limits to be placed upon the catch of any vessel fishing for pilchard, or, if it has done so that such limits are not now effective; that it will enter into no such agreement during the effective life of Order M-206.

(Date)

(Name of company)

(Signature of Authorized Official)

This certificate, when filled in, should be mailed to:

War Production Board
Food Branch
San Francisco, California Ref.: M-206

[F. R. Doc. 42-10254; Filed, October 12, 1942; 11:47 a. m.]

PART 3058—USED CONSTRUCTION
EQUIPMENT

[Limitation Order L-196, as Amended September 28, 1942¹]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of rubber and other materials used in the production of construction equipment for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3058.1 *Limitation Order L-196—(a) Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(b) *Inapplicability of this order.* This order shall not apply to the Army, Navy, Maritime Commission or to any person or agency who has acquired used construction equipment for export outside the continental limits of the United States.

(c) *Definitions.* (1) "Person" means any individual, partnership association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not, except those excluded by paragraph (b) hereof.

(2) "Construction equipment" means any of those products listed in Schedule A attached hereto and made a part of this order.

(3) "Used" when applied to construction equipment, means any construction equipment which has been delivered to an ultimate consumer.

(d) *Registration of used construction equipment.* Any person owning used construction equipment purchased prior to October 1, 1942, shall on or before October 31, 1942, register such equipment by completing, signing and returning by mail WPB Form 1159 to Used Construction Equipment Regional Specialist in the War Production Board Regional Office in the region in which such equipment is located.

(e) *Registration of change of status of used construction equipment.* Within one week after any used construction equipment (1) is moved from the project

¹This document is a restatement of Amendment 1 to L-196 which appeared in the FEDERAL REGISTER of September 29, 1942, page 7665, and reflects the order in its completed form as of September 28, 1942.

on which it is being used; (2) becomes idle after completing its work on that project even if not moved from the project; (3) not being on a project is put into use on a project; or (4) has had its ownership changed, any person owning such equipment shall register such change of status by completing, signing and returning by mail WPB Form 1333 or such other form as may be in the future specified by the Director General for Operations to Used Construction Equipment Regional Specialist in the War Production Board Regional Office in the region in which such equipment is located.

(f) *Records.* All persons affected by this order shall keep and preserve for not less than two (2) years accurate and complete records concerning the movement of used construction equipment from projects.

(g) *Audit and inspection.* All records required to be kept by this order, shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(h) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(i) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a serious problem of unemployment in the community, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may apply for relief by addressing a letter to the War Production Board Regional Office in the region in which the equipment is located setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action, if any, as he deems appropriate by the amendment of this order or otherwise.

(j) *Communications.* All communications concerning this order shall be addressed to Used Construction Equipment Regional Specialist in the War Production Board Regional Office in the region in which the equipment is located. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong.,

as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 28th day of September 1942.

ERNEST C. KANZLER,
Director General for Operations.

SCHEDULE A

Buckets, clamshell.
Buckets, concrete.
Buckets, dragline.
Buckets, orange peel.
Buckets, scraper (bottomless) for dragline operation.
Buckets, shovel.
Cranes, crawler mounted power.
Cranes, tractor mounted power.
Cranes, rubber tire mounted power.
Discs, road.
Ditchers, blade.
Ditchers, ladder.
Ditchers, wheel.
Dragline, see cranes.
Draglines, slack line.
Draglines, walking.
Dredges & dredge equipment.
¹ Drilling machines, earth & rock blast hole drills.
¹ Drilling machines, earth & rock core drills.
¹ Drilling machines, earth & rock jack hammers.
¹ Drilling machines, earth & rock rock drills.
Earth boring machines.
Excavators, see Power shovels.
Graders, blade or pull type earth moving.
Graders, elevating earth moving.
Graders, self-propelled earth moving.
Graders, under-truck earth moving.
Hammers, pile.
Rollers, road, tamping.
Rollers, road, tandem.
Rollers, road, three wheeled.
Scrapers, carrying or hauling, both drawn and self-propelled.
Shovels, crawler mounted power.
Shovels, rubber tire mounted power.
Shovels, tractor mounted power.
Batching plants, contractors.
Bins, construction material.
Conveyors, construction material belt.
Crushers, construction material asphalt.
Crushers, construction material cone.
Crushers, construction material gyratory.
Crushers, construction material jaw.
Crushing plants, other than stationary, construction.
Distributors, bituminous.
Finishers, bituminous.
Hoists, contractors (other than tractor mounted).
Loaders, portable bucket type (other than coal).
Mixers, bituminous.
Mixers, concrete agitator & truck.
Mixers, concrete construction.
Mixers, paving.
Plants, asphalt.
Pumps, concrete.
Screening plants, construction material (other than stationary).
Washing & screening plants, portable.
Winches, contractors.
Track-laying tractors.
Angledozer.
Bulldozers.
Tractor operated control units.
Internal combustion engines—Diesel and gasoline unattached.

[F. R. Doc. 42-10250; Filed, October 12, 1942; 11:45 a. m.]

¹ Except when owned by mines operating under a serial number assigned by P-56.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-114]

U-NEED-A-PAK PRODUCTS CORPORATION

U-Need-A-Pak Products Corporation, 135 Plymouth Street, Brooklyn, New York, is a manufacturer of cigarette vending machines, the manufacture of which is governed by General Limitation Order L-27. Despite the fact that since December 31, 1941, the effective date of this order, the company was familiar with the restrictions contained therein, during the period of January through April, 1942, the company wilfully violated General Limitation Order L-27 by using a large amount of iron, steel, and other metals in the manufacture of cigarette vending machines in excess of the quantity which it was permitted to use for such purpose. Because of its violation of General Limitation Order L-27 the company produced 1,247 more cigarette vending machines than it should have produced.

These violations of General Limitation Order L-27 have impeded and hampered the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing facts,

It is hereby ordered:

§ 1010.114 *Suspension Order S-114.* (a) For a period of six months from the effective date of this order, deliveries of material to U-Need-A-Pak Products Corporation, its successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned or applied to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other orders or regulations of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(b) For a period of six months from the effective date of this order, no allocation shall be made to U-Need-A-Pak Products Corporation, its successors and assigns, of any material the supply or distribution of which is governed by any order of the Director of Industry Operations, or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(c) U-Need-A-Pak Products Corporation, its successors and assigns, shall not sell, transfer or deliver any cigarette vending machines, whether in semi-finished form or in finished form, except as specifically authorized by the Director General for Operations: *Provided, however,* That the company may deliver or transfer such machines for the purpose of storing the same for its own account.

(d) Nothing contained herein shall be deemed to relieve U-Need-A-Pak Products Corporation, its successors and assigns, from any restriction, prohibition or provisions contained in any other order or regulation of the Director of Industry

Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on October 13, 1942, and remain in effect until revoked.

(P.D. Reg. 1, as amended, 6 F.R. 6630; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 12th day of October 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-10261; Filed, October 12, 1942; 3:22 p. m.]

PART 965—IRON AND STEEL SCRAP

[General Preference Order M-24, as Amended to October 13, 1942]

Section 965.1 *General Preference Order M-24* is hereby amended to read as follows:

§ 965.1 *General Preference Order M-24*—(a) *Definitions.* For the purposes of this order:

(1) "Scrap" means all ferrous materials, either alloyed or unalloyed, of which iron or steel is a principal component, which are the waste of industrial fabrication, or objects that have been discarded on account of obsolescence, failure or other reason.

(2) "Producer" means any person who produces scrap in the conduct of a business or other enterprise.

(3) "Dealer" and/or "broker" means any person who, as principal or as agent, buys and sells scrap in the regular course of his business.

(4) "Consumer" means any person who uses scrap in the production of iron, steel, or ferroalloy material or products.

(b) *Special instructions.* The Director General for Operations may from time to time issue specific directions to any person as to the source, destination, or amount of scrap to be delivered or acquired by such person.

(c) *Inventory restrictions suspended.* Subject to the provisions of paragraph (b), delivery of scrap to, or acceptance of such delivery by a consumer is specifically authorized until further order of the Director General for Operations, without regard to the restrictions set forth in § 944.14 of Priorities Regulation No. 1, as amended.

(d) *Reports.* Producers, dealers, brokers, and consumers shall file such reports as may be prescribed by the Director General for Operations. Until further notice such reports shall be filed on or before the 10th day of each month, by producers on forms PD-149 and 149A, by brokers and dealers on form PD-151, and by consumers on form PD-150.

¹ 6 F.R. 5217, 7 F.R. 3878.

(e) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(f) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 13th day of October 1942.

ERNEST KANZLER,

Director General for Operations.

[F. R. Doc. 42-10284; Filed, October 13, 1942; 11:17 a. m.]

PART 965—IRON AND STEEL SCRAP

[Amendment 1 to Supplementary Order M-24-c]

ALLOY SCRAP SEGREGATION

Section 965.4 *Supplementary Order M-24-c* is amended by substituting for Classification 16 of Schedule A the following classifications:

16 Chromium 16%-20% inclusive, and Nickel 8%-10% inclusive, except as included in Classification 16A or 16B.

16A Turnings—Chromium 16%-20% inclusive, Nickel 8%-10% inclusive, Phosphorus up to and including .04%, Sulphur .18%-35% inclusive.

16B Turnings—Chromium 16%-20% inclusive, Nickel 8%-10% inclusive, Sulphur up to and including .04%, Phosphorus .12%-17% inclusive, Selenium .15%-35% inclusive.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 13th day of October 1942.

ERNEST KANZLER,

Director General for Operations.

[F. R. Doc. 42-10285; Filed, October 13, 1942; 11:17 a. m.]

PART 982—MINES

[Amendment 4 to Preference Rating Order P-56, as Amended March 2, 1942]

Section 982.1 *Preference Rating Order P-56* is hereby amended as follows:

1. Paragraph (c) is amended to read as follows:

¹ 7 F.R. 4535.

² 7 F.R. 1637, 2786, 3660, 4473, 6205.

No. 202—5

(c) *Assignment of preference ratings.* Subject to the terms of this order, the following preference ratings are hereby assigned to deliveries to operators, but nothing herein contained shall prevent the use of any other or higher rating to which any person may be entitled by reason of any other preference rating certificate or order.

(1) AA-2X to deliveries of material for maintenance and repair. This rating may be applied by an operator to deliveries in any calendar quarter only up to the amount of the operator's quota of such material for such quarter as established by the Director General for Operations after application by the operator. For metals as listed on the Metals List of Priorities Regulation No. 11, the Director General will establish quotas in terms of amounts of material; for repair parts for machinery and equipment of the types listed in Schedule A to this order, and for other material for repair and maintenance, the Director General will establish quotas in terms of dollar value.

(2) A-1-a to deliveries of material for operating supplies.

2. Paragraph (d) is amended to read as follows:

(d) *Other preference ratings assignable.* The Director General may also upon written, telegraphic, or telephonic request assign such preference ratings as he deems proper to deliveries to operators:

(1) In case of actual or threatened breakdown or suspension of operations. Requests for preference ratings in such cases must describe the material needed and the nature of the emergency.

(2) Of essential material and equipment, whether or not listed in Schedule A. Requests for preference ratings in such cases must describe the material needed and the reasons why it is essential for the proper operation of the mining enterprise.

3. Paragraphs (e) and (f) are redesignated (f) and (g) respectively.

4. A new paragraph (e) is adopted as follows:

(e) *Standards.* In establishing quotas under paragraph (c) and in assigning preference ratings under paragraph (d) the Director General will consider the importance to national defense of each operator's production and of the materials required to meet the operator's needs.

(P. D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 13th day of October 1942.

ERNEST KANZLER,

Director General for Operations.

[F. R. Doc. 42-10286; Filed, October 13, 1942; 11:19 a. m.]

PART 1024—PIGS' AND HOGS' BRISTLES

[General Preference Order M-51, as Amended October 13, 1942]

Section 1024.1 *General Preference Order M-51* is hereby amended to read as follows:

§ 1024.1 *General Preference Order M-51—(a) Applicability of priorities regulations.* This order and all transactions affected thereby are subject to the provisions of priorities regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Bristles" shall mean pigs' or hogs' bristles of the lengths of two inches and longer, whether new or reclaimed and whether imported or not, but not including unturned riflings imported as such.

(2) "Dealer" shall mean any person engaged in the business of purchasing and reselling bristles without changing the condition thereof.

(3) "Dresser" or "reclaimer" shall mean any person grading, sorting, dressing or reclaiming bristles and reselling to a dealer or to other dressers or reclaimers.

(c) *Restrictions of deliveries to defense orders.* Notwithstanding the provisions of Priorities Regulation No. 13, as amended, no person shall sell, deliver, or transfer title to any person other than the Defense Supplies Corporation, and no person, other than the Defense Supplies Corporation, shall buy, take title to, or accept delivery of bristles except upon defense orders, unless specifically authorized by the Director General for Operations: *Provided, however,* That sales, deliveries, and transfers of title to bristles may be made to the person importing the same, either directly or through an agent, if each person participating in the transaction shall report to the War Production Board on or before the close of the next business day following such participation, the amount, origin, size, color, number of cases, and identifying case numbers of any bristles so sold, delivered, or to which title has been so transferred, and the extent of such person's participation in such transaction: *Provided, further,* That nothing contained in this paragraph shall prevent purchases or sales, deliveries or acceptance of deliveries, or transfers of title to fill orders in accordance with the provisions of paragraphs (d) (3) (i), (d) (3) (ii), (d) (3) (iv).

(d) *Restrictions on use of bristles.* (1) No person shall hereafter boil, steam, sterilize, cut, trim, or mix any bristles, or otherwise commence the manufacture of any product of which bristles are a component part except upon defense orders, unless specifically authorized by the Director General for Operations.

(2) No person shall hereafter open any cases containing bristles or remove any bristles from cases, opened, broken or otherwise, except upon defense orders, unless specifically authorized by the Director General for Operations, or unless necessary to preserve such bristles from deterioration. Any action taken to prevent bristles from deterioration shall be reported at once to the War Production Board, together with a complete description of the bristles so saved from deterioration, and the location thereof after such action, together with a statement of the reasons why such action was necessary. Such bristles shall not thereafter be sold, delivered or title thereto

transferred unless specifically authorized by the Director General for Operations.

(3) Notwithstanding the foregoing, nothing in this order shall prevent:

(i) Dressers or reclaimers from removing bristles from cases, performing their operations thereon, and reselling, delivering or transferring title to them upon orders placed by dealers for inventory.

(ii) Dealers from placing orders for delivery of, buying, taking title to, or accepting delivery of bristles for inventory.

(iii) The opening of cases for inspection as to quality and condition, verification of sizes and weights, and removal of the bristles of less than two inches in length.

(iv) The opening of cases, removal of bristles, deliveries and transfers of title, upon orders for shoe bristles.

(v) The manufacture, subject to the limitations of paragraph (e), of the minimum commercially practicable amounts of finished products when the manufacture of additional amounts of such products is required in order to fill defense orders: *Provided, however*, Any excess so manufactured shall be sold only on defense orders.

(4) Notwithstanding the foregoing, nothing in this order shall prevent any manufacturer of products containing bristles from placing purchase orders for or accepting delivery of such amounts of bristles as may be necessary to enable him to manufacture, for inventory, subject to the limitation in paragraph (e), an amount of his finished products not in excess of the amount of his finished products delivered by him upon defense orders in the calendar month preceding the date on which the purchase order is placed: *Provided*, That his inventory is not in excess of a practicable minimum working inventory at the time the order is placed and that to the best of his knowledge and belief, it will not become so at the time the bristles are scheduled to be delivered, *And provided, further*, That delivery may not be accepted at any time when acceptance would bring his inventory above a practicable minimum working inventory. Such finished products shall be only of the kind and type suitable for delivery upon defense orders. No person shall make delivery of bristles unless each such order shall have endorsed thereon a certificate from such manufacturer, signed by an individual authorized to sign for such manufacturer, and in substantially the following form:

The undersigned manufacturer hereby certifies to his vendor and to the War Production Board, subject to the provisions of section 35 (A) of the Criminal Code (18 U.S.C. 80) that the bristles to be delivered on this purchase order are required by the undersigned to enable the undersigned to manufacture, for inventory, an amount of the undersigned's finished products not in excess of the amount of the undersigned's finished products delivered upon defense orders in the calendar month preceding the date on which this purchase order is placed; that the undersigned's inventory is not in excess of a practicable minimum working inventory, and, to the best of his knowledge and belief, it will not become so at the time the bristles are scheduled to be delivered; and that delivery will not be accepted at any time

when acceptance would bring the inventory of the undersigned above a practicable minimum working inventory.

By _____
(Company)
(Signature of authorized individual)

(Title)

Date _____
The undersigned hereby certifies to the above vendor and to the War Production Board, subject to the provisions of section (35) A of the United States Criminal Code, that the above certificate was signed by the undersigned on behalf of and by authority of the said manufacturer.

(Individual)
Date _____

(e) *Conservation of bristles.* No person shall use in the manufacture of any product a bristle mixture containing less than 45% of material other than pigs' or hogs' bristles of any length whatever: *Provided, however*, That this restriction shall not apply to the manufacture of any product purchased by or for the account of the United States Army, Navy, Maritime Commission or the War Shipping Administration where a contracting or inspecting officer of the department or agency concerned shall, after reviewing the applicable Emergency Alternate Federal Specification, certify in a signed certificate furnished to the manufacturer that a bristle mixture of a content different from that provided in this paragraph is necessary for military or naval uses, or to the manufacture of any product made in accordance with applicable State, County or Municipal health regulations or orders in effect September 7, 1942.

(f) *Restrictions on importation and disposition of bristles.* In addition to all other requirements of this order, the importation and disposition of bristles shall be made in conformity with the provisions of General Imports Order M-63, as amended from time to time.

(g) *Reports and communications.* (1) Each person participating in any transaction involving bristles shall execute and file with the War Production Board such reports and questionnaires as may be requested by the Board from time to time.

(2) All reports required to be filed under, and all communications concerning, this order shall be addressed to War Production Board, Textile, Clothing and Leather Branch, Washington, D. C., Ref.: M-51.

(h) *Records and inspection.* (1) Each person participating in any transaction involving bristles shall keep and preserve for a period of not less than two years accurate and complete records of his inventories, production, sales and transactions in bristles.

(2) All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(i) *Appeals.* Any person affected by the order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may

appeal to the War Production Board, setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The War Production Board may thereupon take such action as it deems appropriate.

(j) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 13th day of October 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-10287; Filed, October 13, 1942;
11:18 a. m.]

PART 1050—DISTILLED SPIRITS

[General Preference Order M-69, as Amended
Effective November 1, 1942]

Sections 1050.1, 1050.2, 1050.3 and 1050.4 *General Preference Order M-69* and orders supplemental thereto are hereby amended to read:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of distilled spirits, as hereinafter defined, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1050.1 *General Preference Order M-69—(a) Definitions.* (1) "Distilled spirits" means ethyl alcohol of 190 proof or higher produced from corn or grain.

(2) "High wines" means spirits distilled at less than 190 proof from corn or grain.

(3) "Producer" means any person engaged in the operation of a distillery.

(4) "Distillery" means any distillery which has equipment and facilities to convert corn or grain into distilled spirits or high wines.

(b) *Restrictions on operations of distilleries.* No producer shall, except as specifically authorized or directed by the Director General for Operations, operate any part of his distillery except for the production of distilled spirits: *Provided, however*, That the Director General for Operations, on a proper showing by a producer that the equipment and facilities of his distillery, or of any part of his distillery, cannot be converted or adapted to the production of distilled spirits, may authorize the operation thereof for the production of high wines.

¹ 7 F.R. 224, 655, 903, 1128, 3081.

(c) *Restrictions on use.* No producer, except as specifically authorized or directed by the Director General for Operations, shall use, bottle or barrel for beverage purposes or otherwise allocate or appropriate to such purposes any distilled spirits produced on or after February 20, 1942 or any high wines produced on or after November 1, 1942.

(d) *Directions and restrictions respecting delivery.* (1) The Director General for Operations will from time to time issue authorizations or directions to each producer to deliver specified quantities of distilled spirits to designated persons for designated non-beverage purposes. Except as specifically authorized or directed by the Director General for Operations, no producer shall deliver to any person distilled spirits produced on or after February 20, 1942: *Provided, however,* That if at any time all deliveries theretofore authorized or directed by the Director General for Operations have been made or provided for, a producer may deliver such distilled spirits for non-beverage purposes to the persons and in the quantities permitted by General Preference Order M-30, as amended from time to time.

(2) The Director General for Operations will from time to time issue authorizations and directions to each producer to deliver specified quantities of high wines to designated persons for redistillation into distilled spirits. Except as specifically authorized or directed by the Director General for Operations, no producer shall deliver high wines produced on or after November 1, 1942 to any person for any purpose. No producer shall deliver high wines produced before that date unless all deliveries theretofore directed by the Director General for Operations shall have been made or provided for.

(3) No person shall accept delivery of distilled spirits or high wines if such person knows or has reason to believe that the said delivery is made in violation of the restrictions of this paragraph (d).

(e) *Alterations of existing equipment and facilities.* Except as specifically authorized or directed by the Director General for Operations, no producer whose distillery has equipment and facilities for the production of distilled spirits shall alter such equipment and facilities in any way so as to impair the capacity of such distillery to produce distilled spirits.

(f) *Notification of customers.* Producers of distilled spirits and high wines shall, as soon as practicable, notify each of their regular customers of the requirements of this order, but failure to give such notice shall not excuse any such person from complying with the terms hereof.

(g) *Miscellaneous provisions.*—(1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of the War Production Board priorities regulations, as amended from time to time.

(2) *Intra-company transactions.* The prohibitions and restrictions of this order with respect to deliveries of distilled spirits and high wines, shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but

also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of material conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the Director General for Operations by addressing a letter to the War Production Board, Chemicals Branch, Washington, D. C., Ref: M-69, setting forth the pertinent facts and the reasons he considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(5) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Branch, Washington, D. C. Ref: M-69.

This amendment shall take effect November 1, 1942.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 13th day of October 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-10288; Filed, October 13, 1942;
11:18 a. m.]

PART 1222—EXPORTS UNDER LICENSES ISSUED BY THE BOARD OF ECONOMIC WARFARE

[General Exports Order M-148, as Amended September 28, 1942—Supplement 1]

STEEL

Pursuant to the provisions of § 1222.1 General Exports Order M-148, it is hereby ordered:

§ 1222.2 Supplement 1 to General Exports Order M-148—(a) *Establishment of export quotas.* An export quota system is hereby established for producers of the steel products listed in Schedule

17 F.R. 7730.

A hereto. Such export quotas will be established by the Director General for Operations within the quantities for which the Board of Economic Warfare is authorized to assign preference ratings pursuant to paragraph (a) of Order M-148. No such producer shall export or accept an order for export of such steel products under export license granted by the Board of Economic Warfare unless an export quota has been so established for him, or in excess of such quota, except on specific authorization of the Director. Requests for such authorization shall be made to the Iron and Steel Branch, War Production Board, Washington, D. C., Reference: M-148.

(b) *Reports.* In addition to the reports required by paragraph (b) of Order M-148, each producer who fills a purchase order for export of such steel products under export license granted by the Board of Economic Warfare shall file with the Iron and Steel Branch, War Production Board, Washington, D. C., Reference: M-148, immediately upon shipment, a copy of form BEW-138 covering the material shipped, with date of shipment, car number, routing, destination, and ODT permit number (if issued) noted thereon.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561, E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 13th day of October 1942.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE A

Bars—concrete reinforcing.

Bars—

Hot rolled—shell steel.

—merchant, all other.

Cold finished—shell steel.

—all other.

Tool steel (including high speed steel).

Wire rods.

Pipe and tubing—welded.

Pipe—butt weld.

—lap weld.

—electric weld (including oil well tubing).

Tubing—electric weld, mechanical or pressure.

Pipe and tubing—seamless.

Pipe—seamless, including oil well tubing.

Tubing—seamless, mechanical or pressure.

Plates (including skelp in plate sizes).

Sheared (except rolled armor).

Universal (except rolled armor).

Strip mill (except rolled armor).

Sheets and strip:

Skelp (other than in plate sizes).

Tin mill black plate.

Sheets—hot rolled.

—cold rolled.

—galvanized.

—long terme.

Strip—hot rolled.

—cold rolled.

Structural shapes and piling.

Tin plate and terme plate.

Tin plate (hot and cold rolled)—hot dip.

—electrolytic.

Terne plate (hot and cold rolled).

Wire—drawn.

Wire—barbed and twisted.

[F. R. Doc. 42-10289; Filed, October 13, 1942;
11:18 a. m.]

PART 3019—TOILETRIES AND COSMETICS
[Revocation of General Limitation Order L-171]

Section 3019.1 *General Limitation Order L-171*, § 3019.2 *Schedule 1 to General Limitation Order L-171* and § 3019.3 *Schedule 2 to General Limitation Order L-171* are hereby revoked. This action shall not be construed to affect in any way any liability or penalty accrued or incurred under said Order L-171 or under any section thereof.

This order shall take effect October 13, 1942.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 13th day of October 1942.

ERNEST KANZLER,

Director General for Operations.

[F. R. Doc. 42-10281; Filed, October 13, 1942; 11:17 a. m.]

PART 3087—COMBAT MEASURING INSTRUMENTS

[General Limitation Order L-203]

The fulfillment of requirements for the defense of the United States has created a shortage in the production of combat measuring instruments for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3087.1 *General Limitation Order L-203*—(a) *Definitions*. For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(2) "Manufacturer" means any person who fabricates or assembles combat measuring instruments, and includes sales and distribution outlets controlled by such person.

(3) "Combat measuring instrument" means any new measuring mechanism of the kind or type listed on List A and used on or in the operation of any vessel built for the Army, Navy, Maritime Commission, or War Shipping Administration, any aircraft, or any combat equipment. "Combat equipment" means any combat end product (including, but not limited to, ammunition and other ordnance, warships, and tanks) prescribed for field or combat use by the Army or Navy of the United States.

(4) "Approved order" means:

(i) Any order for the direct use of the Army, Navy, Maritime Commission, or War Shipping Administration, including orders for that purpose placed with subcontractors;

(ii) Any order for combat measuring instruments to be used in the operation of any aircraft; and

(iii) Any order authorized by the Director General for Operations as provided in paragraph (c) below.

17 F. R. 5510, 5511, 6934, 7661.

(b) *Restrictions on acceptance and delivery of orders*. Regardless of the terms of any order, contract of sale or purchase or other commitment, or of any preference rating certificate or blanket preference rating order, or of any rule or regulation applicable thereto:

(1) No person shall accept any order for combat measuring instruments of the kinds listed in List A hereto, unless such order is an approved order; and

(2) No person shall deliver, and no person shall accept delivery of, any combat measuring instruments of the kinds listed in List A hereto, in fulfillment of any order placed hereafter, unless such order is an approved order.

(c) *Authorization of the Director General for Operations*. Application for the authorization of the Director General for Operations to render any order (except an order described in paragraphs (a) (4) (i) and (a) (4) (ii)) an approved order shall be made by the purchaser on Form PD-674, in triplicate. The Director General for Operations may grant such application unconditionally or upon specified conditions, including the requirement that the order be placed with the supplier named by the Director General for Operations. Any order so authorized shall be placed only with the supplier, if any, so named.

(d) *Delivery schedules*. (1) On and after November 1, 1942, no manufacturer shall deliver any combat measuring instruments of the kinds listed on List A hereto, except pursuant to a delivery schedule thereof approved by the Director General for Operations, as provided below.

(2) On or before the 25th day of October and the fifteenth day of each succeeding calendar month, every manufacturer shall file with the Director General for Operations, on Form PD-675, his proposed delivery schedule, for the following month, for combat measuring instruments of the kinds listed in List A hereto, and a monthly operations report on Form PD-676, giving shipments and such other data as shall be required by said form. The delivery schedule for the calendar month following the filing shall be deemed to be approved by the Director General for Operations upon receipt thereof by the War Production Board, unless and until the Director General for Operations shall otherwise direct. Regardless of the terms of any other order or rule or regulation of the War Production Board, or of any commitment by the manufacturer or any customer, the Director General for Operations may at any time change any schedule; direct the cancellation of any order held by the manufacturer, whether or not included or reflected in any schedule; prescribe any other schedule for deliveries; allocate any order theretofore received by the manufacturer to any other manufacturer; or direct the delivery of any combat measuring instrument in production or completed to any person, at the established price and terms. No manufacturer shall alter any approved or prescribed delivery schedule unless authorized or directed to do so by the Director General for Operations; except that delivery of an order

may be made to any new destination specified by the same purchaser, without such authorization.

(e) *Applicability of priorities regulations*. This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(f) *Appeals*. Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the War Production Board setting forth the pertinent facts and the reasons he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(g) *Violations*. Any person who willfully violates any provision of this order, or who willfully furnishes false information to the Director General for Operations in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priorities control and may be deprived of priorities assistance by the Director General for Operations.

(h) *Records and reports*. All manufacturers and dealers affected by this order shall keep and preserve for not less than two years accurate and complete records concerning production, deliveries, and orders for combat measuring instruments. All manufacturers and dealers affected by this order shall execute and file with the War Production Board, such reports and questionnaires as the War Production Board shall from time to time request.

(i) *Communications to War Production Board*. All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Branch, Ref.: L-203.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 13th day of October 1942.

ERNEST KANZLER,

Director General for Operations.

LIST A

1. Electric panel type combat instruments of not more than 3½" diameter (except instruments used on passenger automobiles and carriers, trucks, trailers, and off-the-highway motor vehicles, as defined in Limitation Order L-158), including (but not limited to):

Ammeters.
Milliammeters.
Microammeters.
Ohmmeters.
Sound level meters (decibel).
Synchroscope.
Thermometers—resistance type.
Thermometers—thermocouple type.
Voltmeters.
Millivoltmeters.

[F. R. Doc. 42-10282; Filed, October 13, 1942; 11:17 a. m.]

PART 3092—STEATITE TALC

[Conservation Order M-239]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of steatite talc for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3092.1 *Conservation Order M-239—*
(a) *Definitions.* For the purposes of this order:

(1) "Steatite talc" means naturally occurring magnesium silicate, both crude and beneficiated, suitable for use in the manufacture of electrical insulators and containing not to exceed one and one-half per cent (1½%) lime (CaO) and one and one-half per cent (1½%) ferric oxide (Fe₂O₃).

(2) "Permitted use" means a use in the manufacture of a product or in a process appearing upon List A hereto attached.

(3) "Producer" means a person who mines, mills, treats, or classifies steatite talc or otherwise prepares or beneficiates steatite talc for use by consumers.

(4) "Supplier" means a person who imports steatite talc into the United States or who offers steatite talc for sale to consumers. A producer may also be a supplier.

(5) "Consumer" means a person who uses steatite talc by incorporating it physically in a product he manufactures or who uses or consumes steatite talc in any other commercial or laboratory process.

(6) "Inventory" of a person includes the inventory of affiliates and subsidiaries of such person, and the inventory of others where such inventory is under the control of, or under common control with, or available for the use of such person.

(7) "Minimum practicable working inventory" means a three months' supply.

(b) *Restrictions on use of steatite talc.*
(1) Between October 13, 1942, and November 15, 1942, no consumer shall use or consume steatite talc, except for permitted uses, in excess of 50 per cent of the average monthly weight of steatite talc used or consumed by him during the year 1941 for other than permitted uses; and, during such period, except for permitted uses, no consumer shall put into process any steatite talc in the manufacture of any product, or commence any process in which steatite talc is used or consumed, unless the product or the process will be completed by November 15, 1942.

(2) After November 15, 1942, no consumer shall use or consume any steatite talc except for permitted uses.

(c) *Restrictions on sales or deliveries of steatite talc.* No person after October 13, 1942, shall sell or deliver (including a delivery under toll agreement) steatite talc to any person if he knows or has reason to believe such material is to be received or used in violation of the terms of this order.

(d) *Limitations of inventories.* No person, other than a producer, shall accumulate an inventory of steatite talc in the form of raw materials, semi-processed materials, finished parts, or sub-assemblies in quantities in excess of a minimum practicable working inventory, taking into consideration the limitations placed upon the uses of steatite talc by this order. Any person, other than a producer, who has an inventory in excess of a minimum practicable working inventory is prohibited from receiving any additional steatite talc until his inventory thereof has been reduced below a minimum practicable working inventory.

(e) *Production of steatite talc.* Each producer shall conduct his operations so as to produce the largest possible amounts of steatite talc in relation to the amounts of other grades of talc produced by him. The mines, mills, and plants of all producers shall be open for inspection at all reasonable times by agents or representatives of the War Production Board.

(f) *Reports.* On or before the 10th day of each month, each producer shall file with the War Production Board, in duplicate, Form PD-678 and each supplier shall file with the War Production Board, in duplicate, Form PD-679. All persons affected by this order shall file such other reports as may be requested from time to time by the Director General for Operations.

(g) *Miscellaneous provisions—*(1) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of steatite talc conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the War Production Board by letter or other written communication, in triplicate, setting forth the pertinent facts and the reasons he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(2) *Applicability of order.* The prohibitions and restrictions contained in this order shall apply to the use of steatite talc in all items hereafter manufactured irrespective of whether such items are manufactured pursuant to a contract made prior or subsequent to the effective date hereof. Insofar as any other order of the Director General for Operations may have the effect of limiting or curtailing to a greater extent than herein provided, the use of steatite talc in the production of any item, the limitations of such other order shall be observed.

(3) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless other-

wise directed, be addressed to: War Production Board, Miscellaneous Minerals Branch, Washington, D. C. Ref: M-239.

(5) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 13th day of October 1942.

ERNEST KANZLER,
Director General for Operations.

LIST A—PERMITTED USES OF STEATITE TALC

1. Steatite insulators for use in communications, radio, radar, and underwater sound instruments.

2. Spark plugs being produced or purchased under specific contract, subcontract, or purchase order for delivery to or for the account of the Army, the Navy, or the Coast Guard of the United States, the United States Maritime Commission, the War Shipping Administration, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, or any foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), or being produced in accordance with Limitation Order L-158.

3. Filtering of foods, flavoring extracts, and medicines.

4. Medicinal preparations and health supplies, not including talcum powder or cosmetic preparations.

[F. R. Doc. 42-10283; Filed, October 13, 1942; 11:18 a. m.]

Chapter XI—Office of Price Administration

PART 1300—PROCEDURE

[Procedural Regulation 10]

DISQUALIFICATION OF BOARD MEMBERS AND REVIEW OF BOARD ACTION

Pursuant to the authority conferred upon the Administrator by Executive Order 9125 and by War Production Board Directive No. 1, the following procedure is prescribed for the disqualification of Board members and the review of Board action.

AUTHORITY: §§ 1300.851 to 1300.854 issued under Pub. Law 507, 77th Cong., W.P.B. Directive No. 1, 7 F.R. 562; E.O. 9125, 7 F.R. 2719.

§ 1300.851 *Scope of regulations.* Procedural Regulation No. 10 shall apply to all ration orders. Its purpose is to provide for the disqualification of Board members in certain types of cases and to

establish a procedure for review of Board action where a member is disqualified.

§ 1300.852 *Disqualification of Board members.* No Board member shall act officially in connection with any matter arising in the administration of any ration order:

(a) Where such matters concern an application made by such Board member for a rationed commodity; or

(b) Where such Board member has any interest in such matter by reason of business connection or relationship by blood, marriage or adoption.

§ 1300.853 *Procedure where Board member is disqualified.* In the event a Board member is disqualified to act under § 1300.852 the remaining members of the Board shall constitute a quorum to act as the Board. If the Board takes favorable action upon the application made by the disqualified member or in which he has an interest described in § 1300.852, the application, together with all pertinent records, shall be forwarded to the State Director on or before the tenth day of the following month. The State Director shall review the matter and shall either confirm, modify or reverse the action of the Board. The State Director shall direct the Board to take such action as may be necessary to give effect to his decision.

§ 1300.854 *Effective date of Procedural Regulation No. 10.* Procedural Regulation No. 10 (§§ 1300.851 to 1300.854, inclusive) shall become effective October 17, 1942.

Issued this 12th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10232; Filed, October 12, 1942;
11:53 a. m.]

PART 1305—ADMINISTRATION

[Amendment 1 to Supplementary Order 8¹]

REMOVAL OF THE PANAMA CANAL ZONE FROM THE OPERATION OF ALL PRICE REGULATIONS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Subparagraph (1) to paragraph (d) of § 1305.10 and paragraph (e) of § 1305.10 are added as set forth below:

§ 1305.10 *Removal of the Panama Canal Zone from the operation of all price regulations.* * * *

(e) "Sales and deliveries of commodities in the Panama Canal Zone" do not include sales from a seller outside the Panama Canal Zone to a purchaser in the Panama Canal Zone. Export sales from a seller in the continental United States to a purchaser in the Panama Canal Zone shall be governed by the maximum prices established for export sales by the Revised Maximum Export Price Regulation.

(d) *Effective date.* * * *

*Copies may be obtained from the Office of Price Administration.
17 F.R. 5310.

(1) The effective date of Amendment No. 1 (§ 1305.10 (e) and (d) (1)) to Supplementary Order No. 8 shall become effective October 16, 1942.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 12th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10234; Filed, October 12, 1942;
11:53 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 5 to Supplementary Regulation 11 to General Maximum Price Regulation]

TRANSPORTATION OF LIMING MATERIALS AND SUPERPHOSPHATE FOR THE DEPARTMENT OF AGRICULTURE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

A new subparagraph (104) is added to paragraph (b) of § 1499.46 as set forth below.

§ 1499.46 *Exceptions for certain services* * * *

(b) The provisions of the General Maximum Price Regulation shall not apply to the rates, fees, charges or compensation for the following services:

(104) Transportation of liming materials and superphosphate for the Department of Agriculture in the operation of the Agricultural Conservation Program of that Department, when performed by carriers other than common carriers within the exemption conferred by section 302 (c) (2) of the Emergency Price Control Act of 1942.

(d) *Effective dates.* * * *

(6) Amendment No. 5 (§ 1499.46 (b) (104)) to Supplementary Regulation No. 11 shall become effective October 16, 1942.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 12th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10231; Filed, October 12, 1942;
11:53 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 55 Under § 1499.18 (b) of General Maximum Price Regulation—Docket GF3-583]

FALLS PICKLE CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.855 *Adjustment of maximum prices for salted and fermented cucumbers sold by Falls Pickle Company.* (a) Falls Pickle Company of 928 Bond Street,

Green Bay, Wisconsin, fermenters and salters of cucumbers may sell and deliver and any person may buy and receive from Falls Pickle Company salted and fermented cucumbers at prices no higher than \$2.00 per bushel for large and nubbins pickles and \$3.00 per bushel for vat-run small pickles.

(b) Falls Pickle Company, either before or at the time of its first sale to each purchaser of salted and fermented cucumbers after the effective date of this order shall mail or cause to be mailed to such purchaser written notice of the maximum selling prices established in paragraph (a) above of this order.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 55 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 55 (§ 1499.855) is hereby incorporated as a Section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 55 (§ 1499.855) shall become effective October 13, 1942.

(Pub. Laws 421 and 729 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 12th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10229; Filed, October 12, 1942;
11:54 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 69 Under § 1499.18 (c) of General Maximum Price Regulation—Docket GF3-1596]

FREDERIC H. BURNHAM CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.919 *Adjustment of maximum prices for buckskin gloves manufactured by Frederic H. Burnham Company.* (a) Frederic H. Burnham Company, Michigan City, Indiana may sell and deliver to Perfect Circle Company, Hagerstown, Indiana, and Perfect Circle Company may buy and receive from Frederic H. Burnham Company buckskin gloves style #3989 at prices not higher than \$8.75 per dozen pairs.

(b) The adjustment granted to Frederic H. Burnham Company in paragraph (a) is subject to the following limitations:

(1) This order is limited to sales to Perfect Circle Company by Frederic H. Burnham Company.

(2) This order does not permit an increase in the maximum prices at which Perfect Circle Company may resell such gloves and shall not constitute the basis for an application for adjustment by the Perfect Circle Company under the General Maximum Price Regulation.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 69 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 69 (§ 1499.919) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 69 (§ 1499.919) shall become effective October 13, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 12th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10230; Filed, October 12, 1942;
11:53 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 72 Under § 1499.18 (c) of General Maximum Price Regulation—Docket GF3-2097]

PUBLIC SERVICE CO. OF INDIANA, INC.

For the reasons set forth in an opinion issued simultaneously herewith *It is ordered:*

§ 1499.922 *Adjustment of maximum prices for steam heat service sold by Public Service Company of Indiana, Inc.* (a) The application for adjustment of maximum prices for steam heat service sold by the Public Service Company of Indiana, Inc., is hereby granted to the extent set forth below:

The maximum prices for steam heat service to be charged by the Public Service Company of Indiana, Inc., to customers in the city of Rochester, Indiana shall be as follows:

First 50,000 lbs. used per month at \$1.15 per 1000 lbs.
Next 150,000 lbs. used per month at \$1.00 per 1000 lbs.
Next 200,000 lbs. used per month at \$0.85 per 1000 lbs.
Next 400,000 lbs. used per month at \$0.70 per 1000 lbs.
Over 800,000 lbs. used per month at \$0.55 per 1000 lbs.
Monthly Minimum Charge—\$6.00 per meter.

(b) All prayers of the application not granted herein are denied.

(c) This Order No. 72 (§ 1499.922) shall become effective October 13, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 12th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10233; Filed, October 12, 1942;
11:55 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 70 Under § 1499.18 (c) of General Maximum Price Regulation]

ALLIED BARREL CORP.—NOVADEL-AGENE CORP.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.920 *Adjustment of maximum prices for sale by Allied Barrel Corporation, Oil City, Pennsylvania, of beer half-barrel heads to the Novadel-Agene Corporation, Belleville, New Jersey.* (a)

The Allied Barrel Corporation, Oil City, Pennsylvania, may sell to the Novadel-Agene Corporation, Belleville, New Jersey, and the Novadel-Agene Corporation may buy from the Allied Barrel Corporation, beer half-barrel heads, 1½" thick with metal Peerless tap bush, produced by cutting down material designed for full barrel heading, at a price not higher than \$1.75 per unit, delivered to the plant of the Novadel-Agene Corporation in Belleville, New Jersey.

(b) Where the Allied Barrel Corporation delivers to the Novadel-Agene Corporation, beer half-barrel heads (1½" thick with metal Peerless tap bushes) produced by cutting down material designed for full barrel heads at a price in excess of \$1.30 per unit, delivered to the Belleville, New Jersey, plant of the Novadel-Agene Corporation (which is the maximum price established by the General Maximum Price Regulation for such a sale), the Allied Barrel Corporation must certify in writing to the Novadel-Agene Corporation that the units were produced by cutting down material designed for full barrel heading.

(c) The maximum price established by the General Maximum Price Regulation for sales by the Allied Barrel Corporation of beer half-barrel heads produced from material designed for such heads is not modified by this order.

(d) All prayers of the application not granted herein are denied.

(e) This Order No. 70 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 70 (§ 1499.920) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(g) This Order No. 70 (§ 1499.920) shall become effective October 13, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 12th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10263; Filed, October 12, 1942;
4:27 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[Maximum Price Regulation 233]

DRIED AND CANNED APPLES AND APPLE PRODUCTS

Correction

Section 1341.401 (b), appearing on page 7904 of the issue for Tuesday, October 6, 1942, should read as follows:

(b) No person in the course of trade or business shall buy or receive any dried apples, canned apples, canned applesauce, or canned or bottled apple juice or sweet apple cider, from a canner or packer at a price higher than the maximum price established therefor pursuant to this Maximum Price Regulation No. 233; and

Section 1341.418 (c) (2), appearing on page 7906 of the same issue should read as follows:

(2) When a canner has established a maximum price by using the maximum price of a competitor, his base price for that item shall be the same as the base price of his competitor for the same item.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Revised Zoning Order 1 Under Rationing Order 3]

SUGAR RATIONING REGULATIONS

ORDER ESTABLISHING ZONES

Correction

In § 1407.281 appearing on page 7812 of the issue for October 2, 1942, the subparagraph designated "(a)" should be "(2)".

PART 1499—COMMODITIES AND SERVICES

[Amendment 37 to Supplementary Regulation 14 to General Maximum Price Regulation]

NEW COMMERCIAL MOTOR VEHICLES

Correction

The caption of the amendment appearing on page 7946 of the issue for Wednesday, October 7, 1942 is corrected to read as set forth above.

PART 1367—FERTILIZERS

[Maximum Price Regulation 240]

FLORIDA LAND PEBBLE PHOSPHATE ROCK AND TENNESSEE BROWN PHOSPHATE ROCK

In the judgment of the Price Administrator it is necessary and proper to establish maximum prices for sales by miners of Florida land pebble phosphate rock and Tennessee brown phosphate rock. Sales by others than miners, and all sales of other kinds of phosphate rock are subject to the General Maximum Price Regulation.¹ The maximum prices established by this Maximum Price Regulation No. 240, are, in the judgment of the Price Administrator, generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices established by the General Maximum Price Regulation, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 this Maximum Price Regulation No. 240 is hereby issued.

AUTHORITY: §§ 1367.101 to 1367.114, inclusive, issued under Pub. Law 421, 77th Cong., Pub. Law 729, 77th Cong., E.O. 9250, 7 F.R. 7871.

§ 1367.101 *Maximum Prices for Florida land pebble phosphate rock and Tennessee brown phosphate rock.* On and after October 19, 1942 regardless of any contract, agreement or other obligation, no miner of Florida land pebble phosphate rock and Tennessee brown phosphate rock shall sell or deliver such phosphate rock, and no person in the course of business shall buy or receive such phosphate rock from a miner at prices higher than prices set forth in Appendix A and Appendix B, respectively, incorporated herein as §§ 1367.113 and 1367.114; and no person shall agree, offer, solicit or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of such phosphate rock to a purchaser if prior to October 19, 1942 such phosphate rock had been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

§ 1367.102 *Less than maximum prices.* Lower prices than those set forth in Appendix A and Appendix B (§§ 1367.113 and 1367.114) may be charged, demanded, paid or offered.

§ 1367.103 *Export sales.* The provisions of the Revised Maximum Export Price Regulation² thereto shall be applicable to every sale of Florida land pebble phosphate rock and Tennessee brown phosphate rock to be shipped for export.

§ 1367.104 *Conditional agreements.* No miner of Florida land pebble phosphate rock or Tennessee brown phosphate rock shall enter into an agreement permitting the adjustment of the prices to prices which may be higher than the maximum prices provided by §§ 1367.113 and 1367.114, in the event that this Maximum Price Regulation No. 240 is amended or determined by a court to be invalid or upon any other contingency: *Provided*, That if a petition for amendment (or for exception) has been duly filed, and such petition requires extensive consideration, and the Administrator determines that an exception would be in the public interest pending such consideration, the Administrator may, on application, grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of this petition for amendment (or for adjustment or exception, as the case may be). Requests for such an exception may be included in the aforesaid petition for amendment (or for adjustment or for exception).

§ 1367.105 *Evasion.* The price limitations set forth in this Maximum Price

Regulation No. 240 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to Florida land pebble phosphate rock and Tennessee brown phosphate rock, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding or otherwise.

§ 1367.106 *Records and reports.* (a) On and after October 19, 1942 every miner of Florida land pebble phosphate rock and Tennessee brown phosphate rock who offers, agrees to sell, sells, or delivers such phosphate rock shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942 remains in effect, a complete and accurate record of every such offer, agreement, purchase, sale or delivery, showing the date thereof, the name and address, the amount of the transportation charges paid by the miner and the quantity, grade and size sold.

(b) Persons affected by this Maximum Price Regulation No. 240 shall submit such reports to the Office of Price Administration as it may from time to time require.

§ 1367.107 *Licensing.*—(a) *License required.* A license is hereby required of every miner now or hereafter selling to any person Florida land pebble phosphate rock or Tennessee brown phosphate rock, or both, for which maximum prices are established by this Maximum Price Regulation No. 240.

(b) *License granted.* Effective October 19, 1942, every miner now or hereafter selling to any person Florida land pebble phosphate rock or Tennessee brown phosphate rock, or both, for which maximum prices are established by this Maximum Price Regulation No. 240, is hereby granted a license as a condition of selling any such phosphate rock. The license hereby granted shall, unless suspended as provided by the Emergency Price Control Act of 1942, continue in force so long as and to the extent that this Maximum Price Regulation No. 240 remains in force.

§ 1367.108 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 240 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 240 or any price schedule, regulation or order issued by the Office of Price Administration, or of any acts or practices which constitute a violation, are urged to communicate with the nearest district, state or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1367.109 *Petition for amendment.* Persons seeking any modification of this Maximum Price Regulation No. 240 or an

adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1 issued by the Office of Price Administration.

§ 1367.110 *Applicability of the General Maximum Price Regulation.* Except as provided in § 1367.111 (b), this Maximum Price Regulation No. 240 supersedes the provisions of the General Maximum Price Regulation with respect to sales and deliveries for which maximum prices are established by this regulation.

§ 1367.111 *Definitions.* (a) When used in this Maximum Price Regulation No. 240 the terms:

(1) "Person" includes an individual, corporation, partnership, association, or other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Miner" means a person who mines or recovers from the soil, phosphate rock and who may process the same to whatsoever extent before shipment.

(3) "Phosphate rock" means rock composed of mixtures of phosphate minerals the chief of which is tricalcium phosphate or tribasic phosphate of lime, a compound of phosphoric acid and lime chemically described as $Ca_3(PO_4)_2$.

(4) "Florida land pebble phosphate rock" means phosphate rock of pebble-like formation mined and recovered in the State of Florida from land as distinguished from river beds.

(5) "Tennessee brown phosphate rock" means phosphate rock brown in color mined and recovered in the State of Tennessee.

(6) "B. P. L." means bone phosphate of lime a commercial description of phosphate rock based upon the content tricalcium phosphate or tribasic phosphate of lime ($Ca_3(PO_4)_2$).

(7) "Kind" means a phosphate rock described by the name of the state in which it is mined, the basic substance of which it is composed and may include the color of its appearance as for example "Florida land pebble phosphate rock"; "Tennessee brown phosphate rock".

(8) "Grade" means the percentage of phosphorus content expressed in units of bone phosphate of lime or phosphorus pentoxide (P_2O_5).

(b) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation and the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to the terms used herein.

§ 1367.112 *Effective date.* This Maximum Price Regulation No. 240 (§§ 1367.101 to 1367.114 inclusive) shall become effective October 19, 1942.

§ 1367.113 *Appendix A: Maximum prices for Florida land pebble phosphate rock.* The miner may charge any person

² 7 F.R. 5059, 7242.

for Florida land pebble phosphate rock upon the terms and conditions, and for the grades and descriptions, the prices all as set forth in the following schedule:

A. Unground phosphate rock:

Size	Run of mine in carload lots—washed, dried and unground.
Price	Basis gross ton (2240 lbs.) f. o. b. cars at mines.
Quality	Bone phosphate of lime (B.P.L.) on a dry basis, and not more than 4% combined oxide of iron and aluminum (when determined separately on a dry basis) and not more than 3% moisture.

Grades	
68/66% B.P.L.	\$2.00 basis 68% B.P.L., 7½¢ per unit rise to 70% maximum and 15¢ per unit fall to 66% minimum, fractions in proportion.
70/68% B.P.L.	\$2.40 basis 70% B.P.L., 10¢ per unit rise to 72% maximum and 20¢ per unit fall to 68% minimum, fractions in proportion.
72/70% B.P.L.	\$3.00 basis 72% B.P.L., 15¢ per unit rise to 74% maximum and 30¢ per unit fall to 70% minimum, fractions in proportion.
75/74% B.P.L.	\$4.00 basis 75% B.P.L., 20¢ per unit rise to 76% maximum and 40¢ per unit fall to 74% minimum, fractions in proportion.
77/76% B.P.L.	\$5.00 basis 77% B.P.L., 25¢ per unit rise to 81% maximum and 50¢ per unit fall to 76% minimum, fractions in proportion.
Special sizes	Add 50¢ per gross ton for all pebble rock. Screened rock after drying for furnace use. Add \$1.00 per gross ton for plus 5/32 inch.
Wet calcining	Deduct 50¢ per gross ton for wet rock not dried. Add \$1.00 per gross ton for calcining basis 1500° Fahrenheit plus 5¢ per gross ton for each even 100° Fahrenheit above 1500° or less 5¢ per gross ton for each 100° below 1500° guaranteed.
Grinding	Add 40¢ per gross ton for grinding 48 to 52% minus 200 mesh. Add 50¢ per gross ton for grinding 58 to 62% minus 200 mesh.
Car door boards	Add \$2.00 per car for boarding up car doors.
Lining cars	Add 75¢ per car for lining doors. Add \$1.75 per car for lining cars.

Note	Above prices without any guarantee as to oxide of iron and alumina apply to sales to ferrophosphorous and pig iron manufacturers.
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B. Finely ground phosphate rock:

Price	Basis net ton (2,000 lbs.) f. o. b. cars at mines in carload lots in bulk.
Quality	Phosphorous pentoxide (P ₂ O ₅) on a dry basis minimum grade guaranteed and not more than 3% moisture. Ground 85% minus 200 mesh.

Grades

65.5% B.P.L.	\$2.75 per net ton basis 30% P ₂ O ₅ minimum.
68% B.P.L.	\$3.00 per net ton basis 31% P ₂ O ₅ minimum.
70% B.P.L.	\$3.25 per net ton basis 32% P ₂ O ₅ minimum. Add 75¢ per car for partial paper lining and \$2.00 per car for car door boards on ground rock shipped in bulk. Add \$1.50 per net ton for ground rock in 100 lb. capacity multi-wall paper bags. Add 30¢ per net ton for truck load shipments in bulk.

C. Dust collector product:

\$2.29 per gross ton approximately 60% to 75% B. P. L. and fineness of approximately 40 to 69 minus 200 mesh with no guarantee plus \$3.00 per car for partial paper lining and car door boards.

§ 1367.114 Appendix B: Maximum prices for Tennessee brown phosphate rock. The miner may charge any person for Tennessee Brown Phosphate Rock upon the terms and conditions, and for the grades and descriptions, the prices, all as set forth in the following schedule:

A. Unground phosphate rock:

Size	Run of mine in carload lots—washed, dried and unground.
Price	Basis gross ton (2240 lbs.) f. o. b. cars at mines.
Quality	Bone phosphate of lime (B. P. L.) on a dry basis, combined oxide of iron and alumina (I. & A. determined separately on a dry basis) adjusted basis 2 units B. P. L. for 1 unit I. & A., and not more than 3% moisture.

Grades

68/66% B. P. L.	\$4.30 basis 68% B. P. L., 12½¢ per unit rise to 70% maximum and 15¢ per unit fall to 66% minimum, fractions in proportion; I. & A. basis 6% with 2 units B. P. L. for 1 unit I. & A., fractions in proportion, added when below or deducted when above.
6% I. & A.	

70/68% B. P. L.	\$4.80 basis 70% B. P. L., 15¢ per unit rise to 72% maximum and 20¢ per unit fall to 68% minimum, fractions in proportion; I. & A. basis 5½% with 2 units B. P. L. for 1 unit I. & A., fractions in proportion, added when below or deducted when above.
5½% I. & A.	

72/70% B. P. L.	\$5.30 basis 72% B. P. L., 20¢ per unit rise to 75% maximum and 25¢ per unit fall to 70% minimum, fractions in proportion; I. & A. basis 5½% with 2 units B. P. L. for 1 unit I. & A., fractions in proportion, added when below or deducted when above.
5½% I. & A.	

Lump rock

Add 50¢ per gross ton for screened lump rock of not more than 8% moisture, and with no adjustment for I. & A.

Wet rock

Deduct 50¢ per gross ton for wet rock not dried.

Calcining

Add \$1.00 per gross ton for calcining basis 1500° Fahrenheit plus 5¢ per gross ton for each even 100° Fahrenheit above 1500° or less 5¢ per gross ton for each 100° below 1500° guaranteed.

Grinding

Add 50¢ per gross ton for grinding 50% minus 200 mesh.
Add 70¢ per gross ton for grinding 60% minus 200 mesh.

Car door boards

Add \$2.00 per car for boarding up car doors.

Lining cars

Add 75¢ per car for paper lining doors. Add \$1.75 per car for paper lining car.

B. Finely ground phosphate rock:

Price	Basis net ton (2,000 lbs.) f. o. b. cars at mines in carload lots in bulk.
Quality	Phosphorous pentoxide (P ₂ O ₅) on a dry basis minimum grade guaranteed and not more than 3% moisture, no adjustment for excess grade or I. & A. Ground 95% minus 200 mesh or 85% minus 300 mesh.

Grades

29% P ₂ O ₅	\$4.50 per net ton basis 29% P ₂ O ₅ minimum.
30% P ₂ O ₅	\$4.70 per net ton basis 30% P ₂ O ₅ minimum.
31% P ₂ O ₅	\$4.80 per net ton basis 31% P ₂ O ₅ minimum.
32% P ₂ O ₅	\$5.00 per net ton basis 32% P ₂ O ₅ minimum.
33% P ₂ O ₅	\$5.50 per net ton basis 33% P ₂ O ₅ minimum.

No charge for car liners or car door boards.
Add 30¢ per net ton for bagging in valve bags which purchaser provides.

Add 30¢ per net ton for truck load shipments in bulk.

Add \$1.50 per net ton for bagging in 100 lb. multi-wall paper bags.

Issued this 13th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10292; Filed, October 13, 1942; 11:37 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 56 Under § 1499.18 (b) of General Maximum Price Regulation—Docket GF3-285]

DEAN'S CHIP CO.

For the reasons set forth in an opinion issued simultaneously herewith, It is ordered:

§ 1499.856 *Adjustment of maximum prices through package weight reductions for "Dean's" Potato Chips manufactured by Dean's Chip Company.* (a) Dean's Chip Company of 217 South Sherman Street, Spokane, Washington may sell and deliver and any person may buy and receive from Dean's Chip Company packages of reduced weight of "Dean's" Potato Chips at prices no higher than those charged during March 1942 for corresponding packages of higher weight of "Dean's" Potato Chips as follows:

(1) 14 ounce packages at the maximum prices for the 16 ounce package.

(2) 8 ounce packages at the maximum prices for the 9 ounce package.

(3) 4 ounce packages at the maximum prices for the 5 ounce package.

(4) 2½ ounce packages at the maximum prices for the 3 ounce package.

(b) Distributors and retailers may sell and deliver and any person may buy and receive from distributors and retailers packages of reduced weight of "Dean's" Potato Chips at prices no higher than those set forth below:

(1) The maximum prices established for the particular seller during March 1942 for corresponding packages of higher weight of "Dean's" Potato Chips as stated in paragraph (a) of this order.

(2) If no maximum prices have been established for the particular seller for the former size packages of "Dean's" Potato Chips, such maximum prices as may be established for such seller under § 1499.2 of the General Maximum Price Regulation.

(c) Sellers shall give the same or greater customary allowances, discounts or other price differentials for the new sizes of "Dean's" Potato Chips as they gave on the corresponding larger sizes of potato chips.

(c) The adjustments granted to Dean's Chip Company, to distributors and to retailers in paragraphs (a) and (b) are subject to the condition that before or at the time of each initial sale of new reduced weight packages of "Dean's" Potato Chips, Dean's Chip Company shall distribute or cause to be distributed to each distributor and to each retailer written notice as follows:

The Office of Price Administration has authorized us to sell 14 ounce, 8 ounce, 4 ounce and 2½ ounce packages of "Dean's" Potato Chips at maximum prices established for 16 ounce, 9 ounce, 5 ounce and 3 ounce packages respectively.

You are authorized by the same Office of Price Administration Order to sell the reduced weight packages at your maximum selling prices established by the General Maximum Price Regulation for the corresponding packages of higher weight.

You are required to keep this notice for examination.

(e) All prayers of the application not granted herein are denied.

(f) This Order No. 56 may be revoked or amended by the Price Administrator at any time.

(g) This Order No. 56 (§ 1499.856) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(h) This Order No. 56 (§ 1499.856) shall become effective October 14, 1942.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 13th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10294; Filed, October 13, 1942; 11:37 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 73 Under § 1499.18 (c) of General Maximum Price Regulation]

R. ODELL & SONS CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.923 *Denial of application for adjustment of maximum prices of Concentrated Drene Shampoo, manufactured by Procter and Gamble, sold by R. Odell & Sons Co., Newark, New Jersey.* (a) The application of R. Odell & Sons Co., of Newark, New Jersey, filed August 5, 1942, requesting permission to increase the maximum prices to retailers of Concentrated Drene Shampoo on sales of single bottles and on cases of six bottles, is denied.

(b) This Order No. 73 (§ 1499.923) shall become effective October 14, 1942.

(Pub. Laws, 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 13th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10293; Filed, October 13, 1942; 11:39 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 90 Under § 1499.3 (b) of General Maximum Price Regulation]

KRAFT CHEESE CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.954 *Authorization of a maximum price for sales of Phenix Mushroom Soup, 2 ounce package of dehydrated soup mix, by Kraft Cheese Company of Chicago, Illinois and by retailers.* (a) On and after October 14, 1942, the maximum price for sale by Kraft Cheese Company, having its principal place of business in Chicago, Illinois, of Phenix Mushroom Soup, a dehydrated soup mix, shall be a gross list price to retailers of \$1.19 per dozen of 2 ounce packages subject to the customary trade discount of 20% or a net price of 95¢ for one dozen of 2 ounce packages.

(b) A seller at retail shall determine his maximum selling price of Phenix Mushroom Soup by adding to his net cost of this product a margin of profit of 33½% of his net cost, except that the maximum selling price at retail so determined shall not exceed 11¢ per 2 ounce package. If the price so determined is a fractional cent price and the fraction of a cent is less than one-half of a cent, the price shall be lowered to the next lower cent. If the fraction is one-half cent or larger, the retailer is permitted to increase his maximum price to the next higher cent.

Net cost as used in this paragraph shall be the retailers' invoice cost for Phenix

Mushroom Soup delivered at his customary receiving point less all discounts, allowances and free deals, except cash discounts for prompt payment. Net cost shall not include unloading charges or charges for local cartage.

(c) All other customary discounts allowed by any seller from his prices for dehydrated soup mixes shall be deductible from the maximum price prescribed for his sales of Phenix Mushroom Soup.

(d) Kraft Cheese Company shall distribute at the time of or before the initial sale to each purchaser of Phenix Mushroom Soup from said company written notice as follows:

The Office of Price Administration has authorized us to sell Phenix Mushroom Soup at a maximum gross ceiling price of \$1.19 per dozen of 2 ounce packages subject to our customary trade discount of 20%, making a net price of 95¢ for one dozen of 2 ounce packages. This net selling price is subject to our other customary discounts and allowances applying to dehydrated soups.

As a retailer, you are to determine your maximum selling price of Phenix Mushroom Soup by adding to your net cost of Phenix Mushroom Soup a 33½% margin of profit on your net cost. Your maximum selling price so determined cannot exceed 11¢ per 2 ounce package. If your maximum selling price so determined results in a fractional cent price and the fraction of a cent is less than one-half of a cent the price shall be lowered to the next lower cent. If the fraction is one-half of a cent or larger, you are permitted to increase your maximum price to the next higher cent.

Your "net cost" of Phenix Mushroom Soup is described by the Office of Price Administration Order as your invoice cost less all discounts, allowances and free deals other than a cash discount for prompt payment. Net cost shall not include unloading charges or charges for local cartage.

You are required to keep this notice for examination.

(e) This Order No. 90 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 90 (§ 1499.954) shall become effective as of October 14, 1942.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 13th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10295; Filed, October 13, 1942; 11:38 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 91 Under § 1499.3 (b) of General Maximum Price Regulation]

F. D. RIDENOUR SALES CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.955 *Authorization of maximum prices for sales of "Little Major" Dehydrated Carrot Juice Cocktail Mix,*

$\frac{3}{4}$ ounce packages of dehydrated vegetable product, by the P. D. Ridenour Sales Company of Chicago, Illinois, by wholesalers and by retailers. (a) On and after October 14, 1942, the maximum price for sale by P. D. Ridenour Sales Company of Chicago, Illinois, of "Little Major" Dehydrated Carrot Juice Cocktail Mix, a dehydrated vegetable product, shall be 75¢ per dozen of $\frac{3}{4}$ ounce packages F. O. B. Chicago.

(b) The maximum price for sales at wholesale of "Little Major" Dehydrated Carrot Juice Cocktail Mix shall be 20¢ per dozen of $\frac{3}{4}$ ounce packages.

(c) A seller at retail shall determine his maximum selling price of "Little Major" Dehydrated Carrot Juice Cocktail Mix by adding to his net cost of this product a margin of profit of 33 $\frac{1}{3}$ % of his net cost, except that the maximum selling price at retail so determined shall not exceed 10¢ per $\frac{3}{4}$ ounce package. If the price so determined is a fractional cent price and the fraction of a cent is less than one-half of a cent, the price shall be lowered to the next lower cent. If the fraction is one-half cent or larger, the retailer is permitted to increase his maximum price to the next higher cent.

Net cost as used in this paragraph shall be the retailer's invoice cost for "Little Major" Dehydrated Carrot Juice Cocktail Mix delivered at his customary receiving point less all discounts, allowances and free deals, except cash discounts for prompt payment. Net cost shall not include unloading charges or charges for local cartage.

(d) Sellers shall give the same or greater customary allowances, discounts or other price differentials on the price of the new dehydrated product as they gave on the canned product.

(e) The P. D. Ridenour Sales Company shall distribute or cause to be distributed at the time of or before the initial sale to each purchaser of "Little Major" Dehydrated Carrot Juice Cocktail Mix from this company written notice as follows:

The Office of Price Administration has authorized us to sell "Little Major" Dehydrated Carrot Juice Cocktail Mix at a maximum price of 75¢ per dozen of $\frac{3}{4}$ ounce packages f. o. b. Chicago, subject to our customary discounts, allowances and other price differentials.

The same Office of Price Administration Order authorizes a maximum price for sales at wholesale of 90¢ per dozen.

The order requires us to print on, securely attach to or include in each shipping case of "Little Major" Dehydrated Carrot Juice Cocktail Mix a written notice informing retailers of the method for determining their maximum selling prices at retail. This makes unnecessary your providing retailers with any additional notification with full shipping case sales. However, you will be required to send copies of this retailer notification to each purchaser of less than a full shipping case of this product before or at the time of making a broken case sale if such sale constitutes an initial sale to that purchaser.

You are required to keep this notice for examination.

(f) The P. D. Ridenour Sales Company shall for a period of three months start-

ing with the first offering of "Little Major" Dehydrated Carrot Juice Cocktail Mix print on, securely attach to or include in each shipping case of this product written notice as follows:

The Office of Price Administration has authorized maximum selling prices for "Little Major" Dehydrated Carrot Juice Cocktail Mix including a maximum selling price for wholesalers of 90¢ per dozen of $\frac{3}{4}$ ounce packages.

As a retailer, you are to determine your maximum selling price by adding to your net cost of "Little Major" Dehydrated Carrot Juice Cocktail Mix a 33 $\frac{1}{3}$ % margin of profit on your net cost. Your maximum selling price so determined cannot exceed 10¢ per $\frac{3}{4}$ ounce package. If your maximum selling price so determined results in a fractional cent price and the fraction of a cent is less than one-half of a cent the price shall be lowered to the next lower cent. If the fraction is one-half of a cent or larger, you are permitted to increase your maximum price to the next higher cent.

Your "net cost" of "Little Major" Dehydrated Carrot Juice Cocktail Mix is described by the Office of Price Administration Order as your invoice cost less all discounts, allowances and free deals other than a cash discount for prompt payment. Net cost shall not include unloading charges or charges for local cartage.

You are required to keep this notice for examination.

(g) This Order No. 91 may be revoked or amended by the Price Administrator at any time.

(h) This Order No. 91 (§ 1499.955) shall become effective as of October 14, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10296; Filed, October 13, 1942; 11:38 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 92 Under § 1499.3 (b) of General Maximum Price Regulation]

KRAFT CHEESE CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.956 *Authorization of maximum prices for sales of Kraft Spaghetti Dinner, a combination of dry spaghetti and a dehydrated sauce mixed with cheese, by Kraft Cheese Company of Chicago, Illinois and by retailers.* (a) On and after October 14, 1942, the maximum price for sale by Kraft Cheese Company, having its principal place of business in Chicago, Illinois, of Kraft Spaghetti Dinner, a combination of dry spaghetti and a dehydrated sauce mixed with cheese, shall be a gross list price to retailers of \$1.71 per dozen of 7 $\frac{1}{2}$ ounce packages subject to the customary trade discount of 17% or a net price of \$1.42 for one dozen of 7 $\frac{1}{2}$ ounce packages.

(b) A seller at retail shall determine his maximum selling price of Kraft Spaghetti Dinner by adding to his net cost of this product a margin of profit of 33 $\frac{1}{3}$ % of his net cost, except that the maximum selling price at retail so determined shall not exceed 16¢ per 7 $\frac{1}{2}$ ounce package. If the price so determined is a fractional cent price and the fraction of a cent is less than one-half of a cent, the price shall be lowered to the next lower cent. If the fraction is one-half cent or larger, the retailer is permitted to increase his maximum price to the next higher cent.

Net cost as used in this paragraph shall be the retailer's invoice cost for Kraft Spaghetti Dinner delivered at his customary receiving point less all discounts, allowances and free deals, except cash discounts for prompt payment. Net cost shall not include unloading charges or charges for local cartage.

(c) All other customary discounts allowed by any seller from his prices for macaroni and spaghetti dinner items shall be deductible from the maximum price prescribed for his sales of Kraft Spaghetti Dinner.

(d) Kraft Cheese Company shall distribute at the time of or before the initial sale to each purchaser of Kraft Spaghetti Dinner from said company written notice as follows:

The Office of Price Administration has authorized us to sell Kraft Spaghetti Dinner at a maximum gross selling price of \$1.71 per dozen of 7 $\frac{1}{2}$ ounce packages subject to our customary trade discount of 17%, making a net price of \$1.42 for one dozen of 7 $\frac{1}{2}$ ounce packages. This net selling price is subject to our other customary discounts and allowances applying to Kraft Dinner items.

As a retailer, you are to determine your maximum selling price of Kraft Spaghetti Dinner by adding to your net cost of Kraft Spaghetti Dinner a 33 $\frac{1}{3}$ % margin of profit on your net cost. Your maximum selling price so determined cannot exceed 16¢ per 7 $\frac{1}{2}$ ounce package. If your maximum selling price so determined results in a fractional cent price and the fraction of a cent is less than one-half of a cent the price shall be lowered to the next lower cent. If the fraction is one-half of a cent or larger, you are permitted to increase your maximum price to the next higher cent.

Your "net cost" of Kraft Spaghetti Dinner is described by the Office of Price Administration Order as your invoice cost less all discounts, allowances and free deals other than a cash discount for prompt payment. Net cost shall not include unloading charges or charges for local cartage.

You are required to keep this notice for examination.

(e) This Order No. 92 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 92 (§ 1499.956) shall become effective as of October 14, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10297; Filed, October 13, 1942; 11:38 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Service Order 88]

PART 96—JOINT USE OF TERMINALS

PORTIONS OF TERMINALS AT MEMPHIS, TENN.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 12th day of October, A. D. 1942.

It appearing that, due to the existing state of war, an emergency exists which, in the opinion of the Commission, requires immediate action to prevent delay in the movement of railroad equipment, troops and war materials, and to prevent congestion of traffic; and

It further appearing, that the present operation of certain portions of the railroad terminals in Memphis, Tenn., described in the succeeding paragraphs of this order, results in serious delays in the movement of locomotives and cars and in congestion of traffic:

It is ordered, That:

§ 96.1 *Portions of terminals at Memphis, Tennessee.* (a) The Chicago, Rock Island & Pacific Railway Company (Frank O. Lowden and Joseph B. Fleming, trustees), Illinois Central System, Louisville & Nashville Railroad Company, Missouri Pacific Railroad Company (Guy A. Thompson, trustee), Nashville, Chattanooga & St. Louis Railway, St. Louis-San Francisco Railway (J. M. Kern and John G. Lonsdale, trustees), St. Louis Southwestern Railway Lines (Berryman Henwood, trustee), and Union Railway Company of Memphis are hereby required to make such joint or common use of railroad yards and tracks owned or used by them, extending between Main Street Crossing, Memphis, Tenn., and the Harahan Bridge and the Frisco Bridge across the Mississippi River, a distance of approximately four thousand (4,000) feet, within the Memphis, Tenn., switching district, as will result in the best and most expeditious movement of locomotives and loaded and empty cars with the least delay to locomotives and cars and congestion of traffic, and upon such terms between said carriers as they may agree upon, or, in the event of their disagreement, as this Commission may after subsequent hearing find to be just and reasonable.

(b) The Chicago, Rock Island & Pacific Railway Company (Frank O. Lowden and Joseph B. Fleming, trustees), Illinois Central System, Louisville & Nashville Railroad Company, Nashville, Chattanooga & St. Louis Railway, and Southern Railway System are hereby required to make such joint or common use of railroad yards and tracks owned or used by them, including tracks owned by the Nashville, Chattanooga & St. Louis Railway, and the double-track line owned by the Southern Railway System extending between Tower "B" and Kansas City Junction, a distance of approximately two and seven-tenths (2.7) miles, within the Memphis, Tenn., switching district, as will result in the best and most expeditious

movement of locomotives and loaded and empty cars with the least delay to locomotives and cars and congestion of traffic, and upon such terms between said carriers as they may agree upon, or in the event of their disagreement, as this Commission may after subsequent hearing find to be just and reasonable.

(c) This order shall take effect 12:01 A. M., October 23, 1942, and remain in force until further order of the Commission. (Issued under 40 Stat. 101, 41 Stat. 476, 49 Stat. 543, 54 Stat. 901, 49 U.S.C. 1-(10)-(17).)

It is further ordered, That copies of this order and direction be served upon the above-named carriers, the Association of American Railroads, Car Service Division, as agents of the carriers subscribing to the car service and per diem agreement under terms of that agreement, and that notice of this order be given to the general public by depositing a copy of this order in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register, The National Archives.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 42-10291; Filed, October 13, 1942;
11:27 a. m.]

Notices

DEPARTMENT OF THE INTERIOR

Bituminous Coal Division.

[Docket No. D-13]

HOLMES-DARST COAL CORPORATION

ORDER GRANTING ORAL ARGUMENT

In the matter of the application of Holmes-Darst Coal Corporation to secure a determination as provided by Rule 10, section II of the Marketing Rules and Regulations, and by subsection (b) (8), section 304.12 of the Rules and Regulations for the Registration of Distributors.

Holmes-Darst Coal Corporation, petitioner herein, having filed exceptions to the Report, Proposed Findings of Fact, Proposed Conclusions of Law and Recommendations of the Examiner, dated August 6, 1942, and petitioner having requested oral argument;

Now, therefore, it is ordered, That oral argument on the exceptions to the Examiner's Report be held at 10 a. m., on Wednesday, October 21, 1942, in the offices of the Division, at Washington, D. C.

Dated: October 10, 1942.

[SEAL]

DAN H. WHEELER,
Director.

[F. R. Doc. 42-10239; Filed, October 12, 1942;
11:30 a. m.]

[Docket No. A-1591]

NEW BLACK DIAMOND COAL CO.

ORDER DISMISSING PETITION

In the matter of the petition of the New Black Diamond Coal Co. for the

establishment of price classifications and minimum prices for the coals of its new Black Diamond Coal Co. mine in District No. 10.

In an order issued August 31, 1942, in the above-entitled matter, temporary and conditionally final relief was granted as sought in the original petition and the relief previously granted the original petitioner by order issued February 17, 1941, in Docket No. A-1079 was revoked. Subsequently, petitioner filed a motion to withdraw its petition in the above-entitled matter and requested the reinstatement of the relief previously granted it in Docket No. A-1079, alleging that the necessity for a different shipping point for the coals of its mine, the relief granted by the order issued August 31, 1942, in the above-entitled matter, no longer existed.

No petitions of intervention in opposition to this motion have been received and good cause has been shown why it should be granted.

Accordingly, *It is ordered,* That the original petition in the above-entitled matter be, and the same hereby is, dismissed without prejudice.

It is further ordered, That the temporary relief heretofore granted in the above-entitled matter by order issued August 31, 1942, be, and the same hereby is, revoked.

It is further ordered, That the portion of the order dated August 31, 1942, in the above-entitled matter terminating the relief heretofore granted the coals of Mine Index No. 1190, in Docket No. A-1079, be, and the same hereby is, revoked.

Dated: October 10, 1942.

[SEAL]

DAN H. WHEELER,
Director.

[F. R. Doc. 42-10240; Filed, October 12, 1942;
11:31 a. m.]

[Docket No. 1714-FD]

THOMAS REDDING, CODE MEMBER

ORDER RESCHEDULING HEARING AND REDESIGNATING TRIAL EXAMINER

The hearing in the above-entitled matter having been postponed by an order issued herein on September 24, 1942, to a time and place to be thereafter designated by an appropriate order; and

The Director deeming it advisable that said hearing should now be rescheduled;

Now, therefore, it is ordered, That the hearing in the above-entitled matter shall be held on October 19, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division at Room 118, Colonial Hotel, Altoona, Pennsylvania; and

It is further ordered, That W. A. Cuff shall preside at said hearing vice Charles S. Mitchell; and

It is further ordered, That the Notice of and Order for Hearing issued herein on July 24, 1942, shall, in all other respects, remain in full force and effect.

Dated: October 10, 1942.

[SEAL]

DAN H. WHEELER,
Director.

[F. R. Doc. 42-10241; Filed, October 12, 1942;
11:31 a. m.]

paragraph

[Docket No. 1867-FD]

SHERWOOD-TEMPLETON COAL CO., ET AL.

MEMORANDUM OPINION AND ORDER

In the matter of the application of Sherwood-Templeton Coal Company, Inc., and Linton-Summit Coal Company, Inc., for a determination of the status of the waste slurry coal produced at Mine Index Nos. 63, 101, 108, and 112 in District No. 11, pursuant to the second paragraph of section 4-A of the Bituminous Coal Act of 1937.

On August 21, 1942, 7 F. R. 6690, an order was issued in the above-entitled matter denying the application for exemption filed by Sherwood-Templeton Coal Company, Inc., and Linton-Summit Coal Company, Inc., applicants therein and providing that such denial was to become effective at the end of 60 days from the date of said order. Findings of Fact, Conclusions of Law and an Opinion in this matter were filed simultaneously with the said order and explained that the 60-day period was allowed as a reasonable time within which to file a petition pursuant to section 4 II (d) of the Act requesting the establishment of minimum prices for the coals involved in this proceeding.

On October 6, 1942, the applicants filed a motion requesting that the effective date of said Order dated August 21, 1942, be extended to 120 days from the date thereof on the ground that they have made formal application to District Board No. 11 to file a 4 II (d) petition proposing minimum prices for such coal but that they have been advised that the District Board will be unable to complete its investigations and tests within the 60-day period established by the Order of August 21, and that "because of the unusual circumstances existing in connection with classifying and pricing said coal, an additional period of 60 days will be required before such price . . . can be proposed." On September 30, 1942, District Board No. 11 filed a verified statement of facts substantiating the allegations of the aforesaid motion.

It appears that a reasonable showing has been made for an extension of time as requested.

Now, therefore, it is ordered, That the Order dated August 21, 1942, 7 F. R. 6690, in the above-entitled matter be, and it hereby is, modified to the extent that the effective date of the said order shall be 120 days from the date thereof.

Dated: October 12, 1942.

[SEAL]

DAN H. WHEELER,
Director.[F. R. Doc. 42-10268; Filed, October 13, 1942;
10:51 a. m.]

[Docket No. A-1212]

DISTRICT BOARD 11

MEMORANDUM OPINION AND ORDER RESUMING
HEARING

In the matter of the petition of District Board No. 11 for revision of the schedules of minimum prices applicable to coals shipped from District No. 9 and District No. 11 to Charlestown and Speed,

Indiana, Market Area No. 31, for a recoordination of the delivered price relationships of such coals at said destinations, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

This proceeding was instituted upon a petition filed with the Bituminous Coal Division on December 9, 1941, by District Board 11, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937. As amended at the hearing, the petition requests that the f. o. b. mine prices of District 9 coals be increased for delivery at Speed,¹ Indiana, and Charlestown, Indiana, including Watson or Watson's Siding,² Indiana, so as to effectuate the same delivered price relationships between the coals in Districts 9 (West Kentucky) and 11 (Indiana) at said destinations as exist between said coals in Market Area 29 (Chicago). The petition requests that such recoordination be accomplished by increasing the f. o. b. mine prices of the coals of District 9 by the following amounts per ton in the size groups indicated:

Size groups:	Cents
1, 3 to 12, 17 to 21-----	40
2-----	35
13, 15, 22, 23, 25, 26-----	30
14, 24, 27 to 29-----	20

Temporary relief pending final disposition of this proceeding was requested but has not been granted.

District Boards 8 and 9 filed petitions of intervention and the Bituminous Coal Consumers' Counsel ("Consumers' Counsel") filed notice of appearance. Pursuant to appropriate orders, a hearing was held on April 1 and 2, 1942, before Charles O. Fowler, a duly designated Examiner of the Division, at a hearing room thereof in Washington, D. C. Interested persons were afforded an opportunity to be present and participate fully in the hearing. District Boards 8, 9, and 11 and Consumers' Counsel appeared.

Briefs were filed by District Board 11 and Consumers' Counsel.

On July 20, 1942, the Examiner submitted his Proposed Findings of Fact and Conclusions of Law, and upon the basis thereof recommended that the f. o. b. mine prices of District 9 coals should be increased for delivery at Speed, Charlestown, and Watson, Indiana, so as to effectuate the same delivered price relationship between Districts 9 and 11 coals at said destinations as between said coals in Market Area 29. This would necessitate increases of District 9 f. o. b. mine prices, for shipments over the Illinois Central ("IC") of 40 cents per ton in Size Groups 1, 3 to 12, and 17 to 21; 35 cents per ton in Size Group 2; 30 cents per ton in Size Groups 13, 15, 22, 23, 25, and 26; and 20 cents per ton in Size Groups 14, 24, and 27 to 29. It would also require an additional 10 cents per ton increase of these amounts for shipments over the Louisville and Nashville ("L&N") to Watson.

An opportunity was afforded to all parties to file exceptions to the Examiner's Report and supporting briefs. Exceptions were so filed by Consumers'

¹ So in the freight schedules; referred to in the petition and transcript as "Speeds."

² In the freight schedules as "Watson."

Counsel on August 7, 1942, and by District Board 9 on August 20, 1942.

The Examiner pointed out that no price adjustments were made in General Docket No. 15 to reflect freight rate differentials by lowering District 11 delivered prices for shipments to Speed, Charlestown, and Watson, because to have done so would have allowed mines with higher freight rates than Indiana a competitive opportunity at these destinations not previously enjoyed.

Stated succinctly, the situation here is this: Under the prices established in General Docket No. 15, District 11 coals delivered at Charlestown, Speed, and Watson, Indiana, in Market Area 31, at prices somewhat below those at which District 9 coals delivered in the same destinations. By virtue of certain freight rate changes effective in February, April, and November 1941, the delivered price relationship at these destinations between the District 9 and 11 coals have changed to the disadvantage of District 11. Since General Docket No. 15 the market conditions in these destinations have changed considerably. The amount of coal consumed at these destinations has increased greatly. The cement plant at Speed, the government-owned Indiana Ordnance Works at Charlestown, and the government-owned bag loading plant at Watson are all intimately related to the war program. Freight rate reductions have eliminated the differentials in the base sizes between District 9 Ninth Vein and District 11 Standard Fifth Vein coals from the Princeton-Ayshire, Boonville, Brazil-Clinton, and Lynton-Sullivan Sub-districts. These coals now deliver at Speed and Charlestown at a parity when District 9 shipments originate on the Illinois Central Railroad and District 9 Ninth Vein coals deliver at Watson from mines on the Louisville and Nashville at a price 10 cents below that at which District 11 Standard Fifth Vein coals deliver.

District Board 9 complains of the Examiner's recommendation upon the ground that it is based on a mere apprehension of a future loss of business by District 11. The Bituminous Coal Consumers' Counsel takes a broader position and urges, as it has urged in the past, that producers and consumers should have the advantage of altered market conditions brought about by freight rate changes and that such advantages should not be cancelled by recoordination of price relationships in order to maintain former competitive opportunities.

We are here presented, then, with the important issue of whether a change in freight relationships should be the basis for a corresponding change in f. o. b. mine prices. That issue has been presented in previous cases and from time to time resolved in the light of the record facts. For the most part those decisions have been made in cases involving small adjustments and relatively small tonnages. But always it has been recognized that the resolution of the issue was not to be taken lightly for there is always present the interplay of many and sometimes conflicting considerations and interests. There is the problem of preserving fair competitive opportunities in

the coordination of prices; there is the problem of satisfying the interests of consumers; and there is the problem of determining the extent to which the minimum price structure for bituminous coal should be modified or altered by reason of the action of another regulatory body which is charged with the task of regulating freight rates.

I have canvassed this record with care and I am not satisfied with the showing that has been made. We are here dealing with an important market area in which the coals of several districts are in active competition. Since General Docket No. 15 significant changes in the market conditions have taken place. Freight rate changes have been permitted by the regulatory body intrusted with that task. That action may have been taken upon some showing of necessity therefor. Nevertheless, while I am asked to take steps to counteract that action, I am presented with a record that fails to disclose adequately that the freight rate changes warrant the relief requested. This I refuse to do. Whatever may have been the administrative practice heretofore, I shall not hereafter effect a recoordination of mine prices in order to offset freight rate changes unless the petitioner makes a full and complete showing as to the effects of the rate changes upon a reasonable opportunity to compete on a fair basis, the effect thereof on the movement of coal, the relative market value of the various coals involved, taking into account uses, demand, etc., the propriety of re-establishing the coordination that existed or, as in the case here, a coordination which exists in another market area in which the same coals compete, and all circumstances surrounding the freight rate changes.

Because of the deficiencies of this record in the light of the importance of the issue, I have concluded to take no action in this case at this time but to order the hearing reopened. At the reopened hearing I will expect the parties to develop a full and adequate record in the light of the considerations expressed above. The order resuming the hearing will direct that the Examiner file a supplemental report unless the parties elect to waive it.

Now, therefore, it is ordered, That the hearing in this cause be resumed on December 10, 1942, at 10 A. M. at a hearing room of the Division in Washington, D. C., to be designated on the day of the hearing by the Chief of Records Section in the Offices of the Division, and that Charles O. Fowler, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter, shall exercise such powers as were conferred upon him by the initial Notice of and Order for Hearing in this proceeding, and shall prepare and submit a supplemental report in this matter.

Notice of such hearing is hereby given to all parties herein and to persons or instrumentalities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regula-

tions of the Division for proceedings instituted pursuant to section 4 II (d) of the Act, stating further the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Division on or before December 1, 1942.

The matter concerned herewith is in regard to the petition of District Board 11 for revision of the schedules of minimum prices applicable to coals shipped from District 9 and from District 11 to Charlestown, Speed, and Watson, Indiana, in Market Area 31, for the purpose of effecting the same delivered price relationships of such coals at said destination as currently exist between such coals in Market Area No. 29.

Dated: October 12, 1942.

[SEAL]

DAN H. WHEELER,
Director.

[F. R. Doc. 42-10267; filed, October 13, 1942;
10:51 a. m.]

[Docket No. B-303]

J. J. FOUTZ, CODE MEMBER

ORDER POSTPONING HEARING

The above-entitled matter having been heretofore scheduled for hearing on November 19, 1942, at 1 p. m. at a hearing room of the Bituminous Coal Division, at the Franciscan Hotel, Albuquerque, New Mexico; and

The Director deeming it advisable that said hearing should be postponed;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be and it hereby is postponed from November 19, 1942, to November 23, 1942, at 10 a. m. at a hearing room of the Division at the Franciscan Hotel, Albuquerque, New Mexico, before the officer or officers heretofore designated to preside at said hearing.

Dated: October 12, 1942.

[SEAL]

DAN H. WHEELER,
Director.

[F. R. Doc. 42-10269; Filed, October 13, 1942;
10:51 a. m.]

[Dockets Nos. B-321, B-323, B-325]

BALDY COAL COMPANY, ET AL.

ORDER POSTPONING HEARING

In the matter of E. W. Meggison and E. E. Bowen, individually and as co-partners, doing business under the name and style of Baldy Coal Company, Guillermo Bowman, John Foderaro, Code Members.

The above-entitled matters of E. W. Meggison and E. E. Bowen, individually and as co-partners, doing business under the name and style of Baldy Coal Company, Docket No. B-321, Guillermo Bowman, Docket No. B-323, John Foderaro, Docket No. B-325, having been heretofore scheduled for hearing on November 14, 1942, November 16, 1942, and November 17, 1942, respectively, at 10 a. m. at a hearing room of the Bituminous Coal

Division (the "Division"), at the Court House, Trinidad, Colorado; and

The Director deeming it advisable that said hearings be postponed;

Now, therefore, it is ordered, That the hearings in the above-entitled matters be postponed, as follows:

E. W. Meggison and E. E. Bowen, individually and as co-partners, doing business under the name and style of Baldy Coal Company, Docket No. B-321, from November 14 to November 17, 1942 at 10 a. m.;

Guillermo Bowman, Docket No. B-323, from November 16 to November 18, 1942 at 10 a. m.; and

John Foderaro, Docket No. B-325, from November 17 to November 19, 1942 at 10 a. m.; and that the aforesaid hearings be held at a hearing room of the Division at the Court House, Trinidad, Colorado, before the officer or officers previously designated to preside at said hearings.

Dated: October 12, 1942.

[SEAL]

DAN H. WHEELER,
Director.

[F. R. Doc. 42-10270; Filed, October 13, 1942;
10:51 a. m.]

[Docket No. B-332]

FRANK YASBEZ, CODE MEMBER

NOTICE OF AND ORDER FOR HEARING

A complaint dated October 2, 1942, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on October 6, 1942, by Bituminous Coal Producers Board for District No. 17, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by Frank Yasbez, Raton, New Mexico, (the "Code Member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder:

It is ordered, That a hearing in respect to the subject matter of such complaint be held on November 19, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Court House, Trinidad, Colorado.

It is further ordered, That Charles O. Fowler or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said code member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under section 301.123 of the Rules and Regulations Governing Practice and Procedure

Before the Division in proceedings instituted pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code Member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code Member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code Member in the Code and the Code Member's right to an exemption from the taxes imposed by section 3520 (b) (1) of the Internal Revenue Code, or directing the Code Member to cease and desist from violating the Code and regulations made thereunder.

All persons are hereby notified that the hearing in the above entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Notice is also hereby given that any application, pursuant to § 301.132 of the Rules of Practice and Procedure Before the Division for the disposition of this proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by the Code Member of the complaint herein.

The matter concerned herewith is in regard to the complaint filed by said complainant alleging that the Code Member, whose Code Membership became effective as of May 5, 1938, operator of the Franks Mine, Mine Index No. 418, and Franks No. 2 Mine (for which no mine index number had been assigned) located in Colfax County, New Mexico, Subdistrict No. 10 of District No. 17, has wilfully violated Order of the Division dated October 9, 1940, entered in General Docket No. 19, by selling and delivering by truck subsequent to October 14, 1940, coal produced at the aforesaid Franks No. 2 Mine for which minimum prices temporary or final had not been established by the Division including sales during the period December 12, 1941 and March 27, 1942, both dates inclusive, to the Bin to User Coal Company at Raton, New Mexico, of approximately 170,077 net tons of $1\frac{1}{2}'' \times \frac{1}{2}''$ nut coal at a delivered price of \$2.50 per net ton f. o. b. the mine.

Dated: October 12, 1942,

[SEAL]

DAN H. WHEELER,
Director.

[F. R. Doc. 42-10271; Filed, October 13, 1942;
10:52 a. m.]

[Docket No. B-334]

SONCHAR BROTHERS

NOTICE OF AND ORDER FOR HEARING

In the matter of Joe Sonchar and Victor Sonchar, individually and as copartners doing business under the name and style of Sonchar Brothers, Code Member.

A complaint dated October 2, 1942, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on October 6, 1942, by the Bituminous Coal Producers Board for District No. 17, a District Board, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by Joe Sonchar and Victor Sonchar, individually and as copartners doing business under the name and style of Sonchar Brothers, (the "Code Member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder:

It is ordered, That a hearing in respect to the subject matter of such complaint be held on November 20, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Court House, Trinidad, Colorado.

It is further ordered, That Charles O. Fowler or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in proceedings instituted pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code Member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code Member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either

revoking the membership of the Code Member in the Code and the Code Member's right to an exemption from the taxes imposed by section 3520 (b) (1) of the Internal Revenue Code, or directing the Code Member to cease and desist from violating the Code and regulations made thereunder.

All persons are hereby notified that the hearing in the above entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Notice is also hereby given that any application, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division for the disposition of this proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by the Code Member of the complaint herein.

The matter concerned herewith is in regard to the complaint filed by said complainant alleging that the Code Member located at Raton, New Mexico, whose Code Membership became effective as of April 15, 1938, operator of the Sonchar Brothers Mine, Mine Index No. 392, located in Colfax County, New Mexico, Subdistrict No. 10 of District No. 17, has wilfully violated:

1. Section 4 II (e) and (i) 8 of the Act and Part II (e) and (i) 8 of the Code, Rule 2 of section XII and Rule 8 of section XIII of the Marketing Rules and Regulations by selling for truck shipment, subsequent to September 30, 1940, coal produced at the aforesaid mine at prices below the effective minimum prices as set forth in the Schedule of Effective Minimum Prices for District No. 17 For All Shipments, and misrepresenting of the sizes thereof, including the following transactions:

(a) Sales to various purchasers during the period from November 14, 1940 to May 13, 1941, both dates inclusive, of approximately 65.78 net tons of $1\frac{1}{2}'' \times \frac{1}{2}''$ coal (Size Group No. 10) at \$2.50 per net ton f. o. b. the mine, whereas the effective minimum price for said coal was \$3.15 per net ton f. o. b. the mine, as set forth in the aforesaid schedule, and the intentional misrepresentation of the size of said coal in that it was falsely recorded on truck sales tickets as $1\frac{1}{2}'' \times \frac{3}{8}''$ coal;

(b) Sales to various purchasers during the period from May 10, 1941 to October 29, 1941, both dates inclusive, of approximately 66,005 net tons of $1\frac{1}{2}'' \times \frac{1}{4}''$ coal (Size Group No. 10) at \$2.00 per net ton f. o. b. the mine, whereas the effective minimum price for said coal was \$3.15 per net ton f. o. b. the mine, as set forth in the aforesaid schedule, and the intentional misrepresentation of the size of said coal in that it was falsely recorded on truck sales tickets as $1\frac{1}{2}'' \times 0$ slack;

(c) Sales to various purchasers during the period from October 29, 1941 to December 18, 1941, both dates inclusive, of approximately 94,805 net tons and $1\frac{1}{2}'' \times \frac{1}{4}''$ coal, (Size Group No. 10) at \$2.25 per net ton f. o. b. the mine, whereas the effective minimum price for said coal was \$3.15 per net ton f. o. b. the mine, as

set forth in the aforesaid schedule, and the intentional misrepresentation of the size of said coal in that it was falsely recorded on truck sales tickets as 1½" x 0 slack;

(d) Sales to A. Romero on or about February 17, 1942, of approximately 5.35 tons of 1½" x ¼" coal (Size Group No. 10) at \$2.075 per net ton f. o. b. the mine, whereas the effective minimum price for said coal was \$3.15 per net ton f. o. b. the mine, as set forth in the aforesaid schedule, and the intentional misrepresentation of the size of said coal in that it was falsely recorded on truck sales tickets as 1½" x 0 slack;

(e) Sales to various purchasers during the period from October 7, 1940 to October 23, 1940, both dates inclusive, of approximately 51.78 net tons of 1½" lump coal, (Size Group No. 5) at \$3.55 per net ton f. o. b. the mine, whereas the effective minimum price for said coal was \$3.75 per net ton f. o. b. the mine, as set forth in the aforesaid schedule, and the intentional misrepresentation of the size of said coal in that it was falsely recorded on truck sales tickets as 1" lump;

(f) Sales to various purchasers during the period from May 12, 1941 to March 5, 1942, both dates inclusive, of approximately 1599.67 net tons of 1½" lump coal at \$3.50 per net ton f. o. b. the mine, whereas the effective minimum price for said coal was \$3.75 per net ton f. o. b. the mine, as set forth in the aforesaid schedule, and the intentional misrepresentation of the size of said coal in that it was falsely recorded on truck sales tickets as 1½" nut; and

2. Section 4 II (e), (g) and (i) 8 of the Act, Part II (e), (g) and (i) 8 of the Code, Rule 2 of section XII and Rule 8 of section XIII of the Marketing Rules and Regulations by selling and delivering by truck, subsequent to September 30, 1940, coal produced at the aforesaid mine at prices below the effective minimum prices therefor, plus the transportation, handling and incidental charges from the transportation facilities at the mine to the points from which all such charges were assumed and directly paid by the purchasers, as required by Price Instruction and Exception No. 14, as amended and contained in Supplement No. 1 to said schedule, including the sale and delivery during the period November 24, 1941 to March 15, 1942, both dates inclusive, of approximately 832.8123 tons of 1½" x ¼" coal (Size Group No. 10), to the Bin to User Coal Company, Raton, New Mexico, a distance of approximately 10 miles from said mine, at delivered prices of \$2.25, \$2.50 and \$2.75 per net ton, which was less than the effective minimum f. o. b. mine price for said coal of \$3.15 per net ton, plus the transportation, handling, and incidental charges from the transportation facilities at the mine to the point from which all such charges were assumed and directly paid by said purchaser as required by the

aforesaid Price Instruction and Exception No. 14, and the intentional misrepresentation of the size of said coal in that it was falsely recorded on truck sales tickets as 1½" slack coal.

Dated: October 12, 1942.

[SEAL]

DAN H. WHEELER
Director.

[F. R. Doc. 42-10272; Filed, October 13, 1942;
10:52 a. m.]

[Docket No. B-215]

JACK SMITH, CODE MEMBER

ORDER RESTORING CODE MEMBERSHIP

A written complaint dated February 5, 1942, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on February 10, 1942, by the Bituminous Coal Producers Board for District No. 1, a district board, alleging willful violation by Jack Smith, the above-named defendant, of the Bituminous Coal Code (the "Code") and rules and regulations thereunder; and

An order having been issued, after hearing, by the Acting Director, on June 25, 1942, revoking and cancelling the membership of the said Jack Smith in the Code, and providing, pursuant to section 5 (c) of the Act, that a tax of \$395.23 shall be paid to the United States prior to any reinstatement thereof, and said order having been duly served on said Jack Smith on June 30, 1942; and

An application for the restoration of membership in the Code dated August 31, 1942, having been duly filed with the Division September 2, 1942, by the said Jack Smith; and

It appearing from said application that the said Jack Smith has paid to the United States said tax of \$395.23, on August 31, 1942, pursuant to said order dated June 25, 1942, and section 5 (c) of the Act, as a condition precedent to the restoration of his membership in the Code;

Now, therefore, it is ordered, That the said application of the said Jack Smith for restoration of membership in the Code be and the same hereby is granted; and

It is further ordered, That said restoration of the membership of Jack Smith in the Code be and the same hereby is restored as of 12:01 a. m. on August 31, 1942.

Dated: October 10, 1942.

[SEAL]

DAN H. WHEELER,
Director.

[F. R. Doc. 42-10273; Filed, October 13, 1942;
10:52 a. m.]

BLUE GRASS COAL COMPANY, ET AL.

NOTICE OF FILING OF APPLICATIONS

To all district boards, code members, distributors, the consumers' counsel and other interested persons:

An application for registration as a distributor has been filed by each of the following and is under consideration by the Director:

Name and address	Date application filed
Blue Grass Coal Co., 3301 Carew Tower, Cincinnati, Ohio	9/29/42
Warner Coal Corporation, 570 Union Commerce Building, Cleveland, Ohio	9/21/42

Any district board, code member, distributor, the Consumers' Counsel, or any other interested person, who has pertinent information concerning the eligibility of any of the above-named applicants for registration as distributors under the provisions of the Bituminous Coal Act and the Rules and Regulations for the Registration of Distributors, is invited to furnish such information to the Division on or before November 9, 1942. This information should be mailed or presented to the Bituminous Coal Division, 734 15th Street NW., Washington, D. C.

Dated: October 10, 1942.

[SEAL]

DAN H. WHEELER,
Director.

[F. R. Doc. 42-10274; Filed, October 13, 1942;
10:52 a. m.]

Fish and Wildlife Service.

HART MOUNTAIN NATIONAL ANTELOPE REFUGE, OREGON

DESIGNATION AS A PUBLIC USE AREA

Pursuant to authority of § 12.2 of the regulations of December 19, 1940, for the administration of national wildlife refuges under the jurisdiction of the Fish and Wildlife Service, the SE¼SW¼ and the SW¼SE¼, sec. 24, T. 36 S., R. 25 E., Willamette Principal Meridian, of the Hart Mountain National Antelope Refuge are hereby designated as a public use area upon which persons may without a permit enter and temporarily use for recreational and other appropriate purposes, subject to the following conditions and restrictions:

1. All persons shall observe sanitary and other restrictions as directed by the officer in charge of the refuge.

2. Fires for cooking and other purposes will be permitted only in fireplaces or at other points designated by the officer in charge of the refuge.

3. Garbage and other refuse shall be disposed of in containers provided for the purpose or at other points designated by the officer in charge of the refuge.

4. Defacement, destruction, or removal of any natural object or property of the refuge shall constitute a violation of the regulations for the administration of national wildlife refuges under the jurisdiction of the Fish and Wildlife Service.

CHAS. E. JACKSON,
Acting Director.

SEPTEMBER 22, 1942.

[F. R. Doc. 42-10215; Filed, October 12, 1942;
9:57 a. m.]

General Land Office.

[Public Land Order 43]

CALIFORNIA

WITHDRAWING PUBLIC LAND FOR USE OF THE
WAR DEPARTMENT AS AN AIR BASE

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, and section 3 of the act of June 17, 1902, c. 1093, 32 Stat. 388 (U.S.C., title 43, sec. 416), it is ordered as follows:

Subject to valid existing rights, the public lands in the following-described areas are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws, and reserved for the use of the War Department as an Air Base:

SAN BERNARDINO MERIDIAN

T. 6 S., R. 12 E.,
Sec. 10, NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$.

The areas described, including both public and non-public lands, aggregate 240 acres.

The order of the Secretary of the Interior of April 4, 1930, withdrawing certain lands for reclamation purposes is hereby modified to the extent necessary to permit the use of the above-described lands as herein provided.

This order shall be subject to the Executive Order of May 17, 1927, withdrawing certain lands within fifty feet of a proposed water conduit for municipal water-supply purposes so far as such order affects the above-described lands.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior, when they are no longer needed for the purpose for which they are reserved.

HAROLD L. ICKES,
Secretary of the Interior.

SEPTEMBER 29, 1942.

[F. R. Doc. 42-10212; Filed October 12, 1942;
9:56 a. m.]

[Public Land Order 44]

ARIZONA

WITHDRAWAL FOR ARMY AIRCRAFT PILOTS
TRAINING SCHOOL

Withdrawing public lands for use of the Defense Plant Corporation in Connection with the operation of a school for training Army Aircraft Pilots.

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, it is ordered as follows:

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws, and reserved for the use of the Defense Plant Corporation in connection with the operation of a school for training army aircraft pilots.

No. 202—7

GILA AND SALT RIVER MERIDIAN

T. 15 S., R. 12 E.,
Sec. 7, lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$

The areas described aggregate 338.16 acres.

This order shall take precedence over, but shall not rescind or revoke, the temporary withdrawal for classification and other purposes made by Executive Order No. 6910 of November 26, 1934, as amended, so far as such order affects the above-described lands.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior, when they are no longer needed for the purpose for which they are reserved.

HAROLD L. ICKES,
Secretary of the Interior.

SEPTEMBER 30, 1942.

[F. R. Doc. 42-10211; Filed, October 12, 1942;
9:56 a. m.]

NEW MEXICO

ELIMINATION FROM GRAZING DISTRICT NO. 3

Under and pursuant to the provisions of section 1 of the act of June 28, 1934, as amended (48 Stat. 1269; 49 Stat. 1976; 43 U.S.C. 315), known as the Taylor Grazing Act, the order of the Secretary of the Interior of July 11, 1935, establishing New Mexico Grazing District No. 3, is hereby revoked, so far as it affects the following-described land:

NEW MEXICO PRINCIPAL MERIDIAN

T. 16 S., R. 7 W., sec. 2.

ABE FORTAS,
Acting Secretary of the Interior.

SEPTEMBER 29, 1942.

[F. R. Doc. 42-10213; Filed, October 12, 1942;
9:55 a. m.]

CERTAIN OREGON & CALIFORNIA RAILROAD—
COOS BAY WAGON ROAD GRANT LANDS

CLOSURE FOR PROTECTIVE PURPOSES

In furtherance of forest protection from fire and other acts of sabotage intended to destroy the timber growing on lands administered under the Act of August 28, 1937 (50 Stat. 874), relating to the reverted Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands, it is hereby ordered, pursuant to section 5 of that Act, that such of these lands as are located within an area closed under any proclamation by the Governor of the State of Oregon, now in effect or hereafter issued under section 107-209, Oregon Compiled Laws Annotated, as amended by chapter 238, Oregon Laws, 1941, shall likewise be closed in accordance with the provisions of such proclamation.

ABE FORTAS,
Acting Secretary of the Interior.

OCTOBER 1, 1942.

[F. R. Doc. 42-10214; Filed, October 12, 1942;
9:56 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Marketing Administra-
tion.

DUBUQUE, IOWA, MARKETING AREA

NOTICE ON HANDLING OF MILK

Notice of report and opportunity to file written exceptions with respect to a proposed marketing agreement, as amended, and a marketing order, as amended, regulating the handling of milk in the Dubuque, Iowa, marketing area, prepared by the Administrator of the Agricultural Marketing Administration.

Pursuant to § 900.12 (a) of the General Regulations of the Agricultural Marketing Administration, United States Department of Agriculture, governing proceedings to formulate marketing orders and marketing agreements, notice is hereby given of the filing with the hearing clerk of this report of the Administrator of the Agricultural Marketing Administration, with respect to a proposed marketing agreement, as amended, and to a marketing order, as amended, regulating the handling of milk in the Dubuque, Iowa, marketing area. Interested parties may file exceptions to the report with the Hearing Clerk, Room 1019, South Building, United States Department of Agriculture, Washington, D. C., not later than the close of business on the 10th day after publication of this notice in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

Preliminary Statement

The proceeding was initiated by the Agricultural Marketing Administration upon receipt of a petition dated June 10, 1942, received from the Dubuque Cooperative Dairy Marketing Association of Dubuque, Iowa, for a public hearing to receive evidence on several changes they proposed in the marketing agreement and order. Dubuque handlers then submitted one proposal for amendment and the Dairy and Poultry Branch of the Agricultural Marketing Administration suggested changes in the regulations pertaining largely to administrative matters. Notice of hearing was issued on August 12, 1942, and the hearing was convened on August 19, 1942.

The major issues developed at the hearing were concerned with (1) the changes in the program made desirable by the operation of the health regulations of the city of Dubuque, (2) revision of the classes of milk, and (3) the specification of administrative practice in greater detail.

With respect to these issues it is concluded from the record that:

1. Provisions of the order should cover all milk received at handlers' plants, with the exception that the market pool should include only that milk meeting the requirements of the health regulations;

2. The classes of milk should be revised; and

3. It is desirable to revise the administrative provisions of the order in keeping with accepted principles, present

practice, and a clear specification of detail.

The proposed marketing order, as amended, which follows is the detailed means by which these conclusions may be effectuated. The proposed marketing agreement, as amended, is not included in this report because the provisions thereof will be the same as the provisions of the proposed marketing order, as amended, set forth below.

PROPOSED MARKETING ORDER, AS AMENDED

It is found upon the evidence introduced at the public hearing held in Dubuque, Iowa, on August 19, 1942:

Findings

1. That the order, as amended, regulates the handling of milk in the same manner as, and is applicable only to handlers defined in, a marketing agreement, as amended, upon which a hearing has been held; and
2. That the issuance of this order, as amended, and all of its terms and conditions, tends to effectuate the declared policy of the act.

Provisions

§ 912.3 *Definitions*—(a) *Terms*. The following terms shall have the following meanings:

(1) The term "Dubuque, Iowa, marketing area," hereinafter called the "marketing area," means the territory within the corporate limits of the city of Dubuque, Iowa, the township of Dubuque, Iowa, sections 1, 2, 3, 11, and 12 of the township of Table Mound, and sections 5 and 6 of the township of Mosalem, all in the county of Dubuque in the State of Iowa.

(2) The term "person" means any individual, partnership, corporation, association, or any other business unit.

(3) The term "producer" means any person who produces milk which is received at the plant of a handler from which Class I or Class II milk is disposed of in the marketing area.

(4) The term "graded producer" means any person who, in conformity with the requirements of the Dubuque health authorities for milk disposed of for consumption as milk, produces milk which is received at the plant of a handler from which Class I or Class II milk is disposed of in the marketing area, or which a cooperative association causes to be delivered to a plant from which no Class I or Class II milk is disposed of in the marketing area.

(5) The term "handler" means any person who, on his own behalf or on behalf of others, purchases or receives milk or cream and who disposes of Class I or Class II milk in the marketing area. This definition shall include any cooperative association with respect to milk caused to be delivered from a graded producer to a plant from which no Class I or Class II milk is disposed of in the marketing area.

(6) The term "producer-handler" means any person who is both a producer and a handler and who receives no milk from other producers: *Provided*, That (a) the maintenance, care, and management of the dairy animals and

other resources necessary to produce the milk is the personal enterprise of and at the personal risk of such person in his capacity as a producer, and (b) the processing, packaging, and distribution of the milk is the personal enterprise of and at the personal risk of such person in his capacity as a handler.

(7) The term "market administrator" means the person designated pursuant to § 912.4 as the agency for the administration hereof.

(8) The term "delivery period" means the current marketing period from the first to and including the last day of each month.

(9) The term "act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended.

(10) The term "Secretary" means the Secretary of Agriculture of the United States or any officer or employee of the United States Department of Agriculture who is, or who may hereafter be, authorized to exercise the powers and to perform the duties of the Secretary of Agriculture of the United States.

(11) The term "cooperative association" means any cooperative association of producers which the Secretary determines (i) to have its entire activities under the control of its members, and (ii) to have and to be exercising full authority in the sale of milk of its members.

§ 912.4 *Market administrator*—(a) *Designation*. The agency for the administration hereof shall be a market administrator who shall be a person selected by the Secretary. Such person shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the Secretary.

(b) *Powers*. The market administrator shall: (1) Administer the terms and provisions hereof; and (2) Report to the Secretary complaints of violation of the provisions hereof.

(c) *Duties*. The market administrator shall: (1) Within 45 days following the date upon which he enters upon his duties, execute and deliver to the Secretary a bond, conditioned upon the faithful performance of his duties, in an amount and with surety thereon satisfactory to the Secretary.

(2) Pay, out of the funds provided by § 912.11, the cost of his bond, his own compensation, and all other expenses necessarily incurred in the maintenance and functioning of his office.

(3) Keep such books and records as will clearly reflect the transactions provided for herein and surrender the same to his successor or to such other person as the Secretary may designate.

(4) Publicly disclose to handlers and producers, unless otherwise directed by the Secretary, the name of any person who, within 10 days after the date upon which he is required to perform such acts, has not (i) made reports pursuant to § 912.7, or (ii) made payments pursuant to § 912.10.

(5) Promptly verify the information contained in the reports submitted by handlers.

§ 912.5 *Classification of milk*—(a) *Basis of classification*. All milk or cream purchased or received by a handler or caused to be delivered by a cooperative association to a plant from which no milk is disposed of in the marketing area shall be reported by the handler and shall be classified by the market administrator in the classes set forth in (b) of this section: *Provided*, That (1) any milk moving as fluid milk from any handler's plant to a plant of a nonhandler who distributes fluid milk shall be classified as Class I milk and any cream moving as fluid cream to a plant of such nonhandler shall be classified as Class II milk; (2) any milk or cream moving from a handler's plant to a plant of a nonhandler who does not distribute fluid milk or cream shall be classified as Class III milk, subject to verification by the market administrator; and (3) any milk moving as fluid milk from any handler's plant to a plant of another handler shall be classified as Class I milk, and any cream moving as fluid cream from any handler's plant to a plant of another handler shall be classified as Class II milk: *Provided*, That if the selling handler, except for milk and cream moving to the plant of a producer-handler or to the plant of a handler who is also a producer, on or before the 5th day after the end of the delivery period during which such milk or cream was moved, furnishes to the market administrator a statement which is signed by the buyer and the seller that such milk or cream was utilized in a lower classification, such milk or cream shall be classified accordingly, subject to verification by the market administrator.

(b) *Classes of utilization*. Subject to the conditions set forth in (a) of this section, the classes of utilization of milk shall be as follows:

(1) Class I milk shall be all milk disposed of as milk except such milk as is classified as Class II milk and as Class III milk pursuant to (2) and (3) of this paragraph and all unaccounted for milk in excess of 3 percent of the total receipts of butterfat from producers converted to 3.5 percent milk equivalent.

(2) Class II milk shall be all milk disposed of as cream, for consumption as cream including any cream product in fluid form which contains 6 percent or more but less than 18 percent butterfat, flavored milk, creamed buttermilk, and creamed cottage cheese.

(3) Class III milk shall be all milk accounted for as used to produce butter, cheese other than creamed cottage cheese, evaporated milk, condensed milk, powdered whole milk, ice cream mix, and ice cream and all unaccounted for milk not in excess of 3 percent of the total receipts of butterfat from producers converted to 3.5 percent milk equivalent.

(c) *Responsibility of handlers in establishing the classification of milk*. In establishing the classification of milk as required in (b) of this section, the burden rests upon the handler who receives milk from producers to account for the milk and to prove, to the market administrator that such milk should not be classified as Class I milk.

(d) *Computation of milk in each class*. For each delivery period, the market ad-

ministrator shall compute, in the case of each handler, the amount of milk in each class, as defined in (b) of this section, as follows:

(1) Determine the total pounds of milk received from (i) producers, (ii) handler's own farm production, (iii) other handlers, (iv) other sources, and (v) add together the resulting amounts.

(2) Determine the total pounds of butterfat received as follows: (i) multiply the weight of the milk received from producers by its average butterfat test; (ii) multiply the weight of the milk received from handler's own farm production by its average butterfat test; (iii) multiply the weight of the milk received from other handlers by its average butterfat test; (iv) multiply the weight of the milk received from other sources by its average butterfat test; and (v) add together the resulting amounts.

(3) Determine the total pounds of milk in Class I as follows: (i) convert to pounds the total quantity of milk disposed of in the form of milk on the basis of 2.15 pounds per quart; (ii) multiply the result by the average butterfat test of such milk; and (iii) if the quantity of butterfat so computed when added to the pounds of butterfat in Class II milk and Class III milk, computed pursuant to (4) (ii) and (5) (iv) of this paragraph, is less than the total pounds of butterfat received, computed in accordance with (2) of this paragraph, an amount equal to the difference shall be divided by 3.5 percent and added to the quantity of milk determined pursuant to (i) of this subparagraph.

(4) Determine the total pounds of milk in Class II as follows: (i) multiply the actual weight of each of the several products of Class II milk by its average butterfat test; (ii) add together the resulting amounts; and (iii) divide the result obtained in (ii) of this subparagraph by 3.5 percent.

(5) Determine the total pounds of milk in Class III as follows: (i) multiply the actual weight of each of the several products of Class III milk by its average butterfat test; (ii) add together the resulting amounts; (iii) subtract the total pounds of butterfat in Class I milk and Class II milk, computed pursuant to (3) (ii) and (4) (ii) of this paragraph, and the total pounds of butterfat computed pursuant to (ii) of this subparagraph, from the total pounds of butterfat computed pursuant to (2) of this paragraph, which resulting quantity shall be allowed as plant shrinkage for the purposes of this paragraph (but in no event shall such plant shrinkage allowance exceed 3 percent of the total receipts of butterfat from producers by the handler); (iv) add the result obtained in (iii) of this subparagraph (but not to exceed 3 percent of the total receipts of butterfat from producers by the handler) and the result obtained in (ii) of this subparagraph; and (v) divide the result obtained in (iv) of this subparagraph by 3.5 percent.

(6) Determine the classification of milk received from producers as follows: (i) subtract from the total pounds of milk in each class the total pounds of

milk which were received from other handlers and used in such class; (ii) subtract from the remaining pounds of milk in each class the total pounds of milk which were received from sources other than producers and handlers and used in such class; (iii) subtract pro rata from the remaining pounds of milk in each class the total pounds of milk which were received from the handler's own farm production; and (iv) except as set forth in (e) of this section, the result shall be known as the "net pooled milk" in each class.

(e) *Reconciliation of utilization of milk by classes with receipts of milk from producers.* In the event of a difference between the total quantity of milk utilized in the various classes as computed pursuant to (d) of this section and the quantity of milk received from producers, except for excess milk or milk equivalent of butterfat pursuant to § 912.8 (d), such difference shall be reconciled as follows:

(1) If the total utilization of milk in the various classes for any handler, as computed pursuant to (d) of this section, is less than the receipts of milk from producers, the market administrator shall increase the total pounds of milk in Class III for such handler by an amount equal to the difference between the receipts of milk from producers and the total utilization of milk by classes for such handler, which result shall be known as the "net pooled milk" in each class.

(2) If the total utilization of milk in the various classes for any handler, as computed pursuant to (d) of this section is greater than the receipts of milk from producers, the market administrator shall decrease the total pounds of milk in Class III for such handler by an amount equal to the difference between the total utilization of milk by classes for such handler and the receipts of milk from producers, which result shall be known as the "net pooled milk" in each class.

§ 912.6 *Minimum prices*—(a) *Class prices.* Each handler shall pay, at the time and in the manner set forth in § 912.10, not less than the prices set forth in this paragraph per hundredweight of milk received during each delivery period at such handler's plant or caused by such handler to be delivered to a plant from which no milk is disposed of in the marketing area, on the basis of milk of 3.5 percent butterfat content:

(1) For Class I milk—the price shall be the price determined and announced pursuant to (5) of this paragraph, plus 70 cents per hundredweight.

(2) For Class I milk disposed of under a program approved by the Secretary for the sale or disposition of milk to low-income consumers, including persons on relief—the price shall be the price determined and announced pursuant to (5) of this paragraph, plus 23 cents per hundredweight.

(3) For Class II milk—the price shall be the price determined and announced, pursuant to (5) of this paragraph, plus 25 cents per hundredweight.

(4) For Class III milk—the price shall be the result of the following computation by market administrator: multiply by 2.4 the average weekly prevailing

price per pound of the cheese known as "Twins" during said delivery period on the Wisconsin Cheese Exchange, Plymouth, Wisconsin (or in the absence of such prices, the prices of such "Twins" at Chicago, as reported by the United States Department of Agriculture), and multiply such result by 3.5.

(5) Computation of foundation price for Class I and Class II milk—the market administrator shall determine and announce the average of the basic or field prices per hundredweight, ascertained to have been paid for milk of 3.5 percent butterfat content received during the period beginning with the 16th day of the previous month and ending with the 15th day of the then current month at the plants listed in this subparagraph: *Provided*, That if the price so determined is less than the price computed by the market administrator in accordance with the following formula, such formula price shall be announced: multiply by 0.4 the average weekly prevailing price per pound of the cheese known as "Twins" during said delivery period on the Wisconsin Cheese Exchange, at Plymouth, Wisconsin (or in the absence of such prices, the prevailing prices for such "Twins" at Chicago, as reported by the United States Department of Agriculture), add the average wholesale price per pound of 92-score butter at Chicago for said delivery period as reported by the United States Department of Agriculture, and multiply such result by 3.9.

Concern and location of plants

Amboy Milk Products Co., Amboy, Ill.
United Milk Products Co., Argo, Ill.
Dean Milk Co., Belvidere, Ill.
Borden Co., Dixon, Ill.
Libby, McNeil & Libby Co., Morrison, Ill.
Carnation Milk Co., Oregon, Ill.
Dean Milk Co., Pearl City, Ill.
Dean Milk Co., Pecatonica, Ill.
Borden Co., Sterling, Ill.
Pet Milk Co., Schullsburg, Wis.

§ 912.7 *Reports of handlers*—(a) *Periodic reports.* On or before the 5th day after the end of each delivery period each handler, with respect to milk or milk products which were during such delivery period (1) received from producers, (2) received from handlers, (3) received from such handler's own production, (4) received from any other source, or (5) caused to be delivered to a plant from which no milk is disposed of in the marketing area, shall report to the market administrator, in the detail and form prescribed by him, as follows:

(1) The receipts at each plant from producers who are not handlers;

(2) The receipts at each plant from any other handler, including any handler who is also a producer;

(3) The receipts at each plant from such handler's own production;

(4) The receipts at each plant from any other source;

(5) The respective quantities of milk and milk products disposed of or on hand; and

(6) The respective butterfat content of each of the above.

(b) *Reports as to producers.* Each handler shall report to the market administrator as follows:

(1) Within 10 days after the market administrator's request, with respect to any producer and with respect to a period of time designated by the market administrator, (i) the name and address, (ii) the total pounds of milk received, (iii) the average butterfat test of milk received, and (iv) the number of days upon which milk was received; and

(2) Within 5 days after first receiving milk from any producer, (i) the name and address of such producer, (ii) the date upon which such milk was first received, and (iii) the plant at which the milk of such producer was received.

(c) *Reports of payments to producers.* On or before the 20th day after the end of each delivery period each handler shall submit to the market administrator his producer pay roll for such delivery period which shall show for each producer (i) the net amount of such producer's payment with the prices, deductions, and charges involved, and (ii) the total delivery of milk with the average butterfat test thereof.

(d) *Reports of producer-handlers and handlers whose sole sources of supply are receipts from other handlers.* Producer-handlers and handlers whose sole sources of supply are receipts from other handlers shall report to the market administrator at such time and in such manner as the market administrator may request.

(e) *Verification of reports and payments.* The market administrator shall verify all reports and payments of each handler by audit of such handler's records, and of the records of any other handler or person upon whose disposition of milk such handler claims classification. Each handler shall keep adequate records of receipts and utilization of milk and shall, during the usual hours of business, make available to the market administrator or his representative such records and facilities as will enable the market administrator to:

(1) Verify the receipts and disposition of all milk required to be reported pursuant to this section and, in case of errors, or omissions, ascertain the correct figures;

(2) Weigh, sample, and test for butterfat content the milk received from producers and any product of milk upon which classification depends; and

(3) Verify the payments to producers prescribed in § 912.10.

§ 912.8 *Application of provisions—(a) Producer-handlers.* (1) §§ 912.6, 912.9, 912.10, 912.11, and 912.12 shall not apply to the handling of milk by handlers (i) whose sole sources of supply are receipts from other handlers or (ii) who are also producer-handlers pursuant to § 912.3 (a) (6), as verified by the market administrator in the manner provided in (2) of this paragraph.

(2) Handlers shall furnish to the market administrator for his verification, subject to review by the Secretary, evidence of their qualifications as producer-handlers pursuant to § 912.3 (a) (6), as of the effective date of the provisions hereof, and they shall furnish evidence

of subsequent changes made in the manner of producing or distributing their milk that affects their qualification as producer-handlers; such verification by the market administrator shall be made within 15 days of the date of receipt of the evidence and shall be effective retroactively to the effective date of the provisions hereof in cases verified within 45 days of such effective date and shall be effective retroactively to the first day of the delivery period during which verification is made in subsequent cases.

(b) *Milk received by a handler from another handler who is also a producer or a producer-handler.* If any handler has purchased or received milk or cream from another handler who is also a producer or a producer-handler, such milk or cream shall be considered as Class III milk. If such receiving handler disposes of such milk or cream for other than Class III purposes, the market administrator in computing the net pool obligation of such handler pursuant to § 912.9 (a) shall add an amount equal to the difference between (1) the value of such milk or cream in accordance with its actual utilization by such handler and (2) the value at the Class III price.

(c) *Payment for milk received by a handler from sources determined as other than producers or other handlers.* If any handler has purchased or received milk or butterfat from sources determined as other than producers or other handlers, such milk or milk equivalent of such butterfat shall be considered as Class III milk. If such receiving handler disposes of such milk or butterfat for other than Class III purposes, the market administrator in computing the net pool obligation of such handler pursuant to § 912.9 (a) shall add an amount equal to the difference between (1) the value of such milk or milk equivalent of such butterfat in accordance with its actual utilization by such handler and (2) the value at the Class III price. This provision shall not apply to such milk or butterfat if such handler can prove to the market administrator that such milk or butterfat was used for purposes which did not violate any regulations issued by the health authorities in the marketing area.

(d) *Payment for excess milk or butterfat.* If a handler, after subtracting receipts from his own farm production, receipts from other handlers, and receipts from sources determined as other than producers or other handlers, has disposed of milk or butterfat in excess of the milk or butterfat which, on the basis of his reports, has been credited to his producers as having been delivered by them, the market administrator in computing the net pool obligation of such handler pursuant to § 912.9 (a) shall add an amount equal to the value of such milk or milk equivalent of such butterfat in accordance with its actual utilization by the handler.

§ 912.9 *Determination of uniform prices to producers—(a) Net pool obligation of handlers.* Subject to the provisions of § 912.8, the net pool obligation of each handler for milk received from producers during each delivery period

shall be a sum of money computed for such delivery period by the market administrator as follows: multiply the "net pooled milk" in each class, computed pursuant to § 912.5, by the class price pursuant to § 912.6, and add together the resulting values.

(b) *Computation and announcement of the uniform price.* For each delivery period the market administrator shall compute and announce the uniform price per hundredweight of milk as follows:

(1) Combine into one total the net pool obligations of all handlers, computed pursuant to (a) of this section, who made the reports pursuant to § 912.7 (a) for such delivery period and who made the payments to the market administrator pursuant to § 910.10 (d);

(2) Subtract the total amount to be paid pursuant to § 912.10 (a) (2) (ii) and (iii);

(3) Add the amount of cash balance in the producer-settlement fund less the amount due handlers pursuant to § 912.10 (f);

(4) Divide the result obtained in (3) of this paragraph by the total hundredweight of milk of graded producers, other than that represented by the amount subtracted in (2) of this paragraph;

(5) Subtract not less than 4 cents nor more than 5 cents per hundredweight of milk for the purpose of retaining in the producer-settlement fund a cash balance to provide against errors in reports and payments or delinquencies in payments by handlers. This result shall be known as the uniform price for such delivery period for milk of graded producers containing 3.5 percent butterfat; and

(6) On or before the 10th day after the end of such delivery period notify all handlers and make public announcement of these computations, of the uniform price per hundredweight of milk, of the Class I, Class II, and Class III prices, and of the butterfat differential computed pursuant to § 912.10 (b).

§ 912.10 *Payments for milk—(a) Time and method of payment.* Each handler shall make payment, subject to the butterfat differential set forth in (b) of this section, for milk purchased or received from producers by such handler during each delivery period, as follows:

(1) To producers, for milk which was caused to be delivered to such handler from such producers by and for the account of a cooperative association, on or before the 12th day after the end of the delivery period during which such milk was purchased or received, through such cooperative association of a total amount equal to but not less than the sum of the individual payments otherwise payable to such producers.

(2) To producers for milk which was not caused to be delivered to such handler from such producers by and for the account of a cooperative association, on or before the 15th day after the end of the delivery period during which such milk was purchased or received, (i) to graded producers, except as set forth in (ii) of this subparagraph, at not less than the uniform price per hundredweight com-

puted pursuant to § 912.9 (b); (ii) to graded producers from whom milk was not regularly purchased or received by a handler or who did not distribute milk in the marketing area during a period of 30 days prior to the effective date hereof, for all the milk received from such producers during a period beginning with the date of the first regular receipt of milk from such producers and continuing through the first 2 full calendar months following the date of such first receipt of milk, at the price per hundredweight computed for Class III milk pursuant to § 912.6 (a) (4); and (iii) to producers other than graded producers at the price per hundredweight computed for Class III milk pursuant to § 912.6 (a) (4).

(b) *Butterfat differential.* If the milk of any producer, received by a handler or caused by a cooperative association to be delivered to a plant from which no milk is disposed of in the marketing area during the delivery period, has an average butterfat content other than 3.5 percent, such handler shall add to the prices for such producer, for each one-tenth of 1 percent of average butterfat content in milk above 3.5 percent, not less than, or shall deduct from the prices for such producer, for each one-tenth of 1 percent of average butterfat content in milk below 3.5 percent, not more than, an amount which is one thirty-fifth of the price per hundredweight for Class III milk.

(c) *Producer-settlement fund.* The market administrator shall establish and maintain a separate fund, known as "the producer-settlement fund," into which he shall deposit all payments made by handlers pursuant to (d) and (f) of this section and out of which he shall make all payments to handlers pursuant to (e) and (f) of this section.

(d) *Payments to the producer-settlement fund.* On or before the 12th day after the end of each delivery period, each handler shall pay to the market administrator, for payment to graded producers through the producer-settlement fund, the amount by which the net pool obligation of such handler including the payments required to be made pursuant to § 912.8 is greater than the sum required to be paid producers by such handler pursuant to (a) (1) and (2) of this section.

(e) *Payments out of producer-settlement fund.* (1) On or before the 15th day after the end of each delivery period, the market administrator shall pay to each handler for payment to graded producers the amount by which the sum required to be paid producers by such handler pursuant to (a) (1) and (2) of this section is greater than the net pool obligation of such handler including the payments required to be made pursuant to § 912.8.

(2) If the balance in the producer-settlement fund is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available. No handler who, on the 15th day after the end of each delivery period, has not received the balance

of such reduced payment from the market administrator, shall be deemed to be in violation of (a) of this section if he reduces his payments to graded producers by not more than the amount of the reduction in payment from the producer-settlement fund.

(f) *Adjustment of errors in payments.* Whenever verification by the market administrator of reports or payments of any handler discloses errors in payments to the producer-settlement fund made pursuant to (d) of this section, the market administrator shall promptly bill such handler for any unpaid amount and such handler shall, within 5 days of such billing, make payment to the market administrator of the amount so billed. Whenever verification discloses that payment is due from the market administrator to any handler pursuant to (e) of this section, the market administrator shall, within 5 days, make such payment to such handler. Whenever verification by the market administrator of the payment by a handler to any producer discloses payment to such producer of an amount which is less than is required by this section, the handler shall make up such payment to the producer not later than the time of making payment to producers next following such disclosure.

§ 912.11 *Expense of administration—*
(a) *Payment by handlers.* As his prorate share of the expense of the administration hereof, each handler who received milk from producers, with respect to all milk received, including such handler's own production, and each cooperative association with respect to all milk which it caused to be delivered to a plant from which no milk is disposed of in the marketing area, during the delivery period, shall pay to the market administrator, on or before the 15th day after the end of such delivery period, an amount not to exceed 4 cents per hundredweight, the exact amount to be determined by the market administrator, subject to review by the Secretary.

(b) *Suits by the market administrator.* The market administrator, with the approval of the Secretary, may maintain a suit in his own name against any handler for the collection of such handler's prorate share of expenses set forth in this section.

§ 912.12 *Marketing services.* In making payments to producers pursuant to § 912.10 (a) (2) each handler shall, with respect to all milk received at such handler's plant during such delivery period from each such producer, deduct 5 cents per hundredweight, or such lesser amounts as the market administrator shall determine to be sufficient and shall, on or before the 15th day after the end of such delivery period, pay such deductions to the market administrator. Such money shall be expended by the market administrator only in providing for market information to such producers and for verification of weights, samples, and tests of milk received by such handler. The market administrator may contract with a cooperative association or cooperative associations for the furnishing of the whole or any part of such services.

§ 912.13 *Effective time, suspension, or termination of order, as amended—*(a) *Effective time.* The provisions hereof, or any amendment hereto, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated pursuant to paragraph (b) of this section.

(b) *Suspension or termination.* The Secretary may suspend or terminate this order, as amended, or any provision hereof, whenever he finds that this order, as amended, or any provision hereof, obstructs, or does not tend to effectuate the declared policy of the act. This order, as amended, shall terminate in any event, whenever the provisions of the act authorizing it cease to be in effect.

(c) *Continuing power and duty of the market administrator.* If, upon the suspension or termination of any or all provisions hereof, there are any obligations arising hereunder the final accrual or ascertainment of which requires further acts by any handler, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided,* That any such acts required to be performed by the market administrator shall, if the Secretary so directs, be performed by such other person, persons, or agency as the Secretary may designate.

(1) The market administrator, or such other person as the Secretary may designate, shall (i) continue in such capacity until removed by the Secretary; (ii) from time to time account for all receipts and disbursements, and, when so directed by the Secretary, deliver all funds or property on hand, together with the books and records of the market administrator, or such person, to such person as the Secretary may direct; and (iii) if so directed by the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant thereto.

(d) *Liquidation after suspension or termination.* Upon the suspension or termination of any or all provisions hereof, the market administrator, or such person as the Secretary may designate, shall liquidate, if so directed by the Secretary, the business of the market administrator's office and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid or owing at the time of such suspension or termination. Any funds collected pursuant to the provisions hereof, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

§ 912.14 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States, or name any bureau or division of the United States Department of Agriculture, to act as his agent or representative in

connection with any of the provisions hereof.

This report filed at Washington, D. C., this 12th day of October 1942.

ROY F. HENDRICKSON,
Administrator.

[F. R. Doc. 42-10259; Filed, October 12, 1942;
2:57 p. m.]

CUMBERLAND, MARYLAND, MARKETING AREA

NOTICE ON HANDLING OF MILK

Notice of report and opportunity to file written exceptions with respect to a proposed marketing agreement, and to a proposed marketing order regulating the handling of milk in the Cumberland, Maryland, Marketing Area, prepared by the Administrator of Agricultural Marketing Administration.

Pursuant to § 900.12 (a) of the General Regulations of the Agricultural Marketing Administration, United States Department of Agriculture, governing proceedings to formulate marketing orders and marketing agreements, notice is hereby given of the filing with the hearing clerk of this report of the Administrator of the Agricultural Marketing Administration, with respect to a proposed marketing agreement and to a proposed marketing order regulating the handling of milk in the Cumberland, Maryland, marketing area. Interested parties may file exceptions to the report with the Hearing Clerk, Room 1019, Department of Agriculture, Washington, D. C., not later than the close of business on the 7th day after publication of this notice in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

Preliminary Statement

The proceedings were initiated by the Agricultural Marketing Administration upon receipt of a petition from the Tri-State Milk Producers Association of Cumberland, Maryland, for a public hearing on a marketing agreement and marketing order program which it proposed. Following this request, and after consideration of the proposal, notice of the hearing was issued on July 30, 1942, and the hearing was convened on August 17, 1942. The time for filing briefs was set at the close of the hearing, to expire at midnight September 1, 1942.

The underlying issue in this proceeding is whether or not the Secretary shall issue a marketing order. It is concluded from the record that an order should be issued and that a marketing agreement should be offered to the handlers who regularly sell milk in the prescribed marketing area to be known as the Cumberland, Maryland, marketing area, irrespective of the original source of the milk sold. By this means orderly marketing conditions will be promoted and preserved and the policy of the act will be effectuated.

From the conclusion on the underlying issue, several principal issues pertaining to certain features of the proposed program assume prominence from the record, as follows:

1. What constitutes the most practical marketing area, and what constitutes its supply of milk which should be regulated?

2. At what level shall the minimum class prices be fixed?

3. By what method shall the proceeds of these minimum prices be distributed to producers?

On these issues, it is concluded that:

1. The marketing area should include the territory within 18 miles of City Hall, Cumberland, Maryland, and that the supply to be regulated should be that handled by plants from which fluid milk is regularly used as Class I milk in the marketing area.

2. Parity prices calculated from the period August 1919-July 1929 are unreasonable in view of present conditions and that it is necessary to fix prices, under section 8c (18) of the act, such that farmers will receive a price for milk produced for sale in the marketing area sufficient to maintain an adequate supply of pure and wholesome milk for such area and to be in the public interest.

3. Payment should be made to all producers delivering milk to all handlers of uniform prices for all milk so delivered, or on any uniform basis approved by the market administrator, irrespective of the uses made of such milk by the individual handler to whom it is delivered;

4. The purchasing power of milk in the Cumberland, Maryland, marketing area specified in section 2 of the act cannot be determined satisfactorily from available statistics of the Department of Agriculture for the period August 1909-July 1914, but can be determined satisfactorily from available statistics of the Department of Agriculture for the post-war period August 1925-July 1929 and the post-war period should be the base period to be used in determining the purchasing power of milk sold in the Cumberland, Maryland, marketing area.

The following proposed marketing order prepared by the Administrator pursuant to § 900.12 (a) of the General Regulations, as amended, Agricultural Marketing Administration, is recommended as the detailed means by which these conclusions may be carried out. The proposed marketing agreement is not included in this report because the provisions thereof will be the same as the provisions of the proposed marketing order.

PROPOSED MARKETING ORDER REGULATING THE HANDLING OF MILK IN THE CUMBERLAND, MARYLAND, MARKETING AREA

It is found upon the evidence introduced at the public hearing held in Cumberland, Maryland, August 17 and 18, 1942:

Findings

1. That all handling of milk sold or disposed of by handlers as defined in § 967.3 (6) of this order is in the current of interstate commerce, or directly burdens, obstructs, or affects interstate commerce in milk or its products, and that handlers so defined are engaged in the handling of milk which is in the current of interstate commerce or which

directly burdens, obstructs, or affects interstate commerce in milk or its products;

2. That the order regulates the handling of milk in the same manner as, and is applicable only to handlers defined in, a marketing agreement upon which a hearing has been held;

3. That a pro rata assessment, on handlers receiving milk from producers, not to exceed 4 cents per hundredweight, as provided by § 967.11 of this order, on all milk received of producers or produced by such handlers, during each delivery period, plus 4 cents per hundredweight of milk and cream sold directly for fluid consumption in the marketing area, by handlers buying their milk from farmers who are not producers, will provide funds necessary to pay such expenses as necessarily will be incurred by the market administrator under such order for the maintenance and proper functioning of his office; and

4. That orderly conditions for milk flowing into the Cumberland, Maryland, marketing area are so disrupted as to result in the impairment of the purchasing power of such milk and that the issuance of this order and all of its terms and conditions, will tend to effectuate the declared policy of the act.

Provisions

§ 967.3 *Definitions.* As used herein the following terms shall have the following meanings:

(a) "Act" means Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (50 Stat. 246 (1937), 7 U. S. C. 1940 ed. 601 et seq.), as amended.

(b) "Secretary" means the Secretary of Agriculture of the United States or any officer or employee of the United States Department of Agriculture who is, or who may hereafter be, authorized to exercise the powers and perform the duties of the Secretary of Agriculture of the United States.

(c) "Cumberland marketing area," hereinafter referred to as the "marketing area," means the territory included within 18 miles of the City Hall, Cumberland, Maryland.

(d) "Person" includes any individual, partnership, corporation, association, or any other business unit.

(e) "Producer" means any person, irrespective of whether such person is also a handler, who produces milk which is delivered direct to a milk plant approved or licensed for the sale of milk for fluid consumption in the marketing area; *Provided*, That "producer" shall not include a person who delivers milk to a milk plant from which during any delivery period less than 5 percent of the milk received at such plant is disposed of in the marketing area.

(f) "Handler" means any person, irrespective of whether such person is a cooperative association of producers, who engages in the handling of milk or cream for fluid consumption in the marketing area.

(g) "Producer's milk plant" means any milk plant currently used for any or all of the handling functions of receiving,

weighing (or measuring), sampling, cooling, pasteurizing, bottling, or other preparation of milk of producers for fluid sale or disposition in fluid form in the marketing area.

(h) "Farmer's milk plant" means any milk plant other than a "producer's milk plant" currently used for any or all of the handling functions of receiving, weighing, (or measuring), sampling, cooling, pasteurizing, bottling, or other preparation of milk of persons who are not producers as defined in (e) of this section.

(i) "Market administrator" means the person designated pursuant to § 967.4 as the agency for the administration hereof.

(j) "Delivery period" means the current marketing period from the first to the last day of each month, both inclusive.

§ 967.4 *Market administrator*—(a) *Designation.* The agency for the administration hereof shall be a market administrator who shall be a person selected by the Secretary. Such person shall be entitled to such compensation as may be determined by, and shall be subject to removal or suspension at the discretion of, the Secretary.

(b) *Powers.* The market administrator shall have power:

(1) To administer the terms and provisions hereof; and

(2) To receive, investigate, and report to the Secretary complaints of violation of the terms and provisions hereof.

(c) *Duties.* The market administrator shall, in addition to the duties hereinafter described:

(1) Keep such books and records as will clearly reflect the transactions provided for herein and surrender the same to his successor or to such other person as the Secretary may designate;

(2) Submit his books and records to examination by the Secretary at any and all times;

(3) Furnish such information and such verified reports as the Secretary may request;

(4) Within 45 days following the date upon which he enters upon his duties, execute and deliver to the Secretary a bond, conditioned upon the faithful performance of his duties, in an amount and with surety thereon satisfactory to the Secretary;

(5) Publicly disclose to handlers and producers, unless otherwise directed by the Secretary, the name of any person who, within 20 days after the date upon which he is required to perform such acts, has not (i) made reports pursuant to § 967.7 or (ii) made payments pursuant to § 967.10;

(6) Employ and fix the compensation of such persons as may be necessary to enable him to administer the terms and provisions hereof;

(7) Pay, out of the funds provided by § 967.11 (i) the cost of his bond, and of the bonds of such employees as handle funds entrusted to the market administrator; (ii) his own compensation; and (iii) all other expenses which will necessarily be incurred by him in the maintenance and functioning of his office and in the performance of his duties;

(8) Promptly verify the information contained in the reports submitted by handlers;

(9) Check weight and butterfat test of milk received from producers by each handler each delivery period and report the results of the butterfat tests to producers and handlers or to their cooperative associations. The market administrator may designate an independent agency to check the weight and butterfat test of milk received by handlers; and

(10) Publicly disclose to consumers, handlers, and producers the average butterfat test of each of the principal products made from milk delivered by producers to each handler.

§ 967.5 *Classification of milk*—(a) *Milk to be classified.* All milk, skim milk, and cream handled by each handler in his producers' milk plant shall be classified in the classes set forth in (b) of this section, subject to (c) of this section.

(b) *Classes of utilization.* The classes of utilization shall be as follows:

(1) Class I-A shall be all butterfat in milk, skim milk, and cream received by a handler that is not classified as Class II-A and Class III-A.

(2) Class I-B shall be all skim milk in milk, skim milk, and cream received by a handler, disposed of for human consumption in fluid form, such as fluid milk, fluid cream, skim milk, buttermilk, and flavored milk drinks, and all skim milk the utilization of which is not classified in Class II-B and Class III-B.

(c) Class II-A shall be all butterfat in milk, skim milk, and cream received by a handler that is used in the manufacture of butter and for animal feed, and any actual plant loss not in excess of 2 percent of the amount of butterfat contained in such products.

(4) Class II-B shall be all skim milk in milk, skim milk, and cream received by a handler and used for animal feed and in the manufacture of products not disposed of for human consumption in fluid form, and any actual plant loss not in excess of 2 percent of the amount of skim milk contained in such products.

(5) Class III-A shall be all butterfat in milk, skim milk, buttermilk, flavored milk drinks, and cream on hand at the end of a delivery period.

(6) Class III-B shall be all skim milk in milk, skim milk, buttermilk, flavored milk drinks, and cream on hand at the end of a delivery period.

(c) *Transfers of milk and cream.* (1) Milk, skim milk, and cream received at a producer's milk plant from another producer's milk plant shall be allocated to Class I-A and Class I-B: *Provided*, That it may be allocated to Class II-A and Class II-B, if such classification is agreed upon in writing between the receiving handler and the selling handler and is submitted to the market administrator: *Provided further*, That the amount so allocated to any class shall not be greater than the amount used in that class by the receiving handler after deduction

of any butterfat and skim milk classified pursuant to (2) of this paragraph.

(2) Milk, skim milk, and cream received at a producer's milk plant from a farmer's milk plant shall be allocated to Class II-A and Class II-B.

(3) Milk, skim milk, and cream received at a producer's milk plant from a farmer's milk plant under another Federal milk order issued pursuant to the act shall be allocated to each class in accordance with its use as determined by the market administrator under the latter order.

(4) Milk, skim milk, and cream moved directly from a producer's milk plant to a farmer's milk plant shall be allocated to the different classes on the following basis:

(i) The butterfat shall be allocated to Class II-A if 80 percent or more of the butterfat received at the farmer's milk plant is used in the production of butter and to Class I-A if less than 80 percent of the butterfat received at the farmer's milk plant is used in the production of butter.

(ii) The skim milk shall be allocated to Class II-B if 80 percent or more of the skim milk received at the farmer's milk plant is used for animal feed or in the manufacture of products which are not disposed of in fluid form and to Class I-B if less than 80 percent of the skim milk received at the farmer's milk plant is used in the manufacture of products which are not disposed of in fluid form.

§ 967.6 *Minimum prices.* Each handler who receives milk from producers shall pay producers, at the time and in the manner set forth in § 967.10, not less than the following prices per pound of product in each class:

(a) Class I-A (butterfat)—Add all market quotations (using midpoint of any weekly range as one quotation) of prices for a 40-quart can of sweet cream approved for "Pennsylvania only," and for "Pennsylvania, Newark, and lower Merion Township," in the Philadelphia, Pennsylvania, market, reported by the United States Department of Agriculture for each week ending within the month, divide by the number of quotations, subtract 28 cents, divide by 33.48, and subtract 6.375 cents;

(b) Class I-B (skim milk)—Subtract 4 times the price of Class I-A determined pursuant to (a) of this section from \$3.40 and divide by 96;

(c) Class II-A (butterfat)—Multiply the average of the highest prices for 92-score butter at wholesale in the New York market for the month for which payment is to be made by 1.2 and subtract 5 cents;

(d) Class II-B (skim milk)—Subtract 6 cents from any plus amount which is equal to 7.5 times the average of all the hot roller process dry skim milk quotations for "other brands, animal feed" and for "other brands, human consumption," cartons, bags, or barrels, in both cases (using midpoint of any range as one quotation) as published for such month in the "Producers' Price Current," less 4.5 cents, and divide by 96;

(e) Class III-A (butterfat)—Same as Class II-A; and

(f) Class III-B (skim milk)—Same as Class II-B.

§ 967.7 *Reports of handlers*—(a) *Reports to market administrator*. Each handler, under his own signature or under that of a person certified by such handler to the market administrator as being authorized to sign the reports required by this section, shall report to the market administrator, in the detail and on forms prescribed by him, as follows:

(1) On or before the 6th day after the end of each delivery period, each handler who handled milk of producers shall report the following information with respect to all milk, skim milk, and cream handled by him during such delivery period:

(i) The quantity of milk of each producer (including that of such handler's own production), the butterfat content thereof, and the number of days on which such milk was handled;

(ii) The milk, skim milk, and cream, with its butterfat content, received from producers' milk plants;

(iii) The milk, skim milk, and cream, with its butterfat content, received from farmers' milk plants;

(iv) The utilization of all butterfat and skim milk in milk, skim milk, and cream handled;

(v) The name and address of each producer whose milk had not been handled during the previous delivery period; and

(vi) The names of handlers from whom or to whom milk or cream was received or delivered.

(2) Within 10 days after the market administrator's request each handler who handled milk of producers shall report with respect to any producer from whom such information is not in the files of the market administrator, and with respect to a period or periods of time designated by the market administrator, (i) the name and address, (ii) the total pounds of milk delivered, (iii) the average butterfat test of milk delivered, and (iv) the number of days upon which deliveries were made.

(3) On or before the 15th day after the end of each delivery period, each handler who handled milk of producers shall report his producer pay roll for such delivery period, which shall show for each producer (i) the total pounds of milk delivered with the average butterfat test thereof and (ii) the net amount of such handler's payment to such producer with the prices, deductions, and itemized charges involved.

(4) Each handler who receives milk at a farmer's milk plant shall report to the market administrator at such time and in such manner as the market administrator may request.

(b) *Verification of reports*. (1) Each handler shall make available to the market administrator, his agent, or such other person as the Secretary may designate, (i) all records and facilities necessary for the verification of the information contained in the reports submitted pursuant to this section and for the accounting of the usage of all milk, skim milk, and cream handled, and (ii) those

facilities which are necessary for weighing, sampling, and testing of the milk of each producer.

(2) If the market administrator finds that, subsequent to the delivery period for which such verification is being made, any milk, skim milk, or cream handled during such delivery period was used in a class other than that in which it was first reported, such milk, skim milk, or cream shall be reclassified accordingly, and the adjustments necessary to reflect the reclassified value of such milk, skim milk, or cream shall be made.

§ 967.8 *Application of provisions*. No provision hereof shall apply to a handler who is also a producer and who purchases or receives no milk from producers or an association of producers, except that such handler shall make reports to the market administrator at such time and in such manner as the market administrator may request.

§ 967.9 *Determination of uniform prices to producers*—(a) *Computation of the value of milk for each handler*. The net obligation of each handler for milk received from producers shall be a sum of money computed for each delivery period by combining in one sum the value obtained by multiplying the pounds of product in each class, computed pursuant to § 967.5, by the prices applicable pursuant to § 967.6 and subtracting therefrom the corresponding values of Class III-A and Class III-B for the preceding delivery period.

(b) *Computation and announcement of uniform prices for each handler*. The market administrator shall announce for each delivery period the uniform prices per pound of butterfat and skim milk and per hundredweight of milk containing 4 percent butterfat computed as follows:

(1) *Butterfat*—From the combined value of Class I-A, Class II-A, and Class III-A subtract the value of Class III-A for the preceding delivery period and divide by the pounds of butterfat received from producers, including his own production;

(2) *Skim milk*—From the combined value of Class I-B, Class II-B, and Class III-B subtract the value of Class III-B for the preceding delivery period and divide by the pounds of skim milk received from producers including his own production.

(3) *Milk containing 4.0 percent butterfat*—Add together the value of 4 pounds of butterfat and 96 pounds of skim milk at the uniform prices computed pursuant to (1) and (2), respectively, of this paragraph;

(4) The results obtained pursuant to (1), (2), and (3) of this paragraph shall be known as the uniform prices for butterfat, skim milk, and milk containing 4.0 percent butterfat, respectively; and

(5) On or before the 9th day after the end of each delivery period notify each handler and publicly announce the uniform prices computed for each handler pursuant to this section.

§ 967.10 *Payments to producers*—(a) *Time and method of payments*. On or before the 12th day after the end of each delivery period each handler shall

make full payment, subject to (b), (c), and (d) of this section, to each producer for the total value of milk received from such producers, during such delivery period, at not less than the uniform prices per pound of butterfat and skim milk contained in such milk, computed pursuant to § 967.9.

(b) *Butterfat content of milk received from producers*. The butterfat content of milk received shall be determined by taking the average of not less than 5 separate butterfat tests made from fresh samples during each delivery period. The market administrator may designate an independent laboratory to make these tests. If such a laboratory is designated by the market administrator, handlers shall pay their producers the butterfat differential in accordance with such test. If no such laboratory is designated by the market administrator, these tests may be conducted by an independent laboratory agreed upon by the handlers and the producers, in which case the expense of such butterfat testing shall be borne jointly and equally by each handler and each producer delivering to him, and the producers' share may be deducted from the amount paid them by handlers, but the handler shall be responsible for any errors in these tests.

(c) *Errors in payments*. Errors in payment prescribed in this section shall be corrected not later than the date for making payment following the determination of such errors.

(d) *Distribution of payments*. Handlers may distribute the payments they are required to make to producers for milk received by them on any uniform basis other than that specified above in this section that is approved by the market administrator.

§ 967.11 *Expense of administration*—

(a) *Payments by handlers*. As his pro rata share of the expense of the administration hereof, each handler, except those handlers exempted pursuant to § 967.8, shall pay to the market administrator, on or before the 12th day after the end of each delivery period, an amount equal to 4 cents per hundredweight with respect to all milk received by him from producers, or produced by him during such delivery period, or such lesser amount which may be determined by the market administrator subject to review by the Secretary: *Provided*, That all handlers buying their milk from farmers who are not producers shall pay 4 cents per hundredweight of milk and cream sold directly for fluid consumption in the marketing area.

If the market administrator designates an independent agency to determine the butterfat content of milk received by handlers from producers, as permitted under § 967.10 (b), each handler shall pay to the market administrator, on or before the 12th day after the end of each delivery period, an amount equal to not more than 20 cents per test, the exact amount to be determined by the market administrator.

(b) *Marketing services*. If the market administrator designates an independent agency to determine the butterfat content of milk received by the handler from producers, as permitted under § 967.10

(b), each handler may deduct from his payments to each producer one-half of any amount paid to the market administrator for such tests pursuant to (a) of this section. Such moneys shall be used by the market administrator to pay the independent laboratory for the verification of weight, sampling, and testing of milk received from producers.

§ 967.12 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States, or name any bureau or division in the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions hereof.

§ 967.13 *Effective time, suspension, and termination.*—(a) *Effective time.* The provisions hereof, or any amendment hereto, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated, pursuant to paragraph (b) of this section.

(b) *Suspension and termination.* Any or all provisions hereof, or any amendment hereto, shall be suspended or terminated as to any or all handlers after such reasonable notice as the Secretary may give, and shall, in any event, terminate whenever the provisions of the act authorizing it cease to be in effect.

(c) *Continuing power and duty.* If, upon the suspension or termination of any or all provisions hereof, there are any obligations arising hereunder the final accrual or ascertainment of which requires further acts by any handler, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided,* That any such acts required to be performed by the market administrator shall, if the Secretary so directs, be performed by such other person, persons, or agency as the Secretary may designate.

The market administrator, or such other person as the Secretary may designate, shall (1) continue in such capacity until discharged by the Secretary; (2) from time to time account for all receipts and disbursements and deliver all funds or property on hand, together with the books and records of the market administrator, or such person, to such person as the Secretary shall direct; and (3) if so directed by the Secretary execute such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant hereto.

(d) *Liquidation after suspension or termination.* Upon the suspension or termination of any or all provisions hereof, the market administrator, or such person as the Secretary may designate, shall, if so directed by the Secretary, liquidate the business of the market administrator's office and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid and owing at the time of such suspension or termination. Any funds collected pursuant to the provisions hereof, over

and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

This report filed at Washington, D. C. the 12th day of October 1942.

[SEAL] ROY F. HENDRICKSON,
Administrator, Agricultural
Marketing Administration.

[F. R. Doc. 42-10299; Filed, October 13, 1942;
11:46 a. m.]

Office of the Secretary.

DIRECTOR OR ACTING DIRECTOR OF EMERGENCY RUBBER PROJECT

DELEGATION OF AUTHORITY

Delegation of authority to Director or Acting Director of the Emergency Rubber Project to acquire, use and dispose of property under Title II of the Second War Powers Act, 1942.

By virtue of the authority vested in me by Executive Order No. 9249, dated October 1, 1942 (7 F.R. 7874), I, Claude R. Wickard, Secretary of Agriculture, hereby delegate to the Director or Acting Director of the Emergency Rubber Project the authority to acquire, use, and dispose of any real property, temporary use thereof, or other interest therein, together with any personal property located thereon, or used therewith, that shall be deemed necessary for war purposes in connection with the Emergency Rubber Project of the Department of Agriculture, in accordance with the provisions of Title II of the Second War Powers Act, 1942, approved March 27 1942.

(Pub. Law 507, 77th Cong.)

Done at Washington, D. C., this 12th day of October, 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 42-10279; Filed, October 13, 1942;
11:11 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

AMENDMENT OF LEARNER REGULATIONS

NOTICE OF HEARING

Notice of hearing on amendments of Learner Regulations and Determinations applicable to the hosiery industry, women's apparel industry, single pants, shirts and allied garments industry, sportswear and other odd outerwear divisions of the apparel industry, belts division of the apparel industry, textile industry, knitted and men's woven underwear and commercial knitting industry, knitted outerwear industry and gloves and mittens industry to provide for an increase in the number of percentage of learners in such industries to meet conditions of abnormal labor

turnover resulting from the war emergency, and to provide for increases in the minimum wage rates applicable to such learners.

Whereas written requests have been received setting forth reasonable grounds for amendments to Learner Regulations and Determinations applicable to the above industries to meet conditions of abnormal labor turnover in individual plants in these industries resulting from the war emergency, and

Whereas it appears to the Administrator that reasonable grounds exist for reconsidering the rates for learners established in the Learner Regulations and Determinations applicable to these industries;

Now, therefore, notice is hereby given of a public hearing to commence at 10:00 A. M. on October 26, 1942, at the Hotel Astor, 44th Street and Broadway, New York, New York, before Merle D. Vincent, hereby authorized as presiding officer to conduct said hearing and to take testimony for the purpose of determining whether the regulations or determinations which apply to the employment of learners in the above industries shall be amended to provide for (1) an increase in the number or percentage of learners which may be authorized in individual plants under special learner certificates to meet the needs of abnormal labor turnover resulting from the war emergency, and (2) increases in the wage rates below which no learner may be employed under such certificates. At this hearing, opportunity to present evidence on the above questions will be afforded any interested person provided the presiding officer shall have received at the National Office of the Wage and Hour Division, 165 West 46th Street, New York, New York, from such person, prior to October 24, 1942, a notice of intention to appear, setting forth his name and address, the company or organization which he represents, and the approximate length of time required for such presentation. Any interested party unable to appear in person may file a brief or a statement which will be considered if received by October 26, 1942.

Appearances for employers and labor from these industries will be scheduled insofar as possible in the order in which they are listed herein.

The industries referred to in this notice are defined in the following wage orders:

- Hosiery Industry, Regulations, Part 551.
- Women's Apparel Industry, Regulations, Part 605.
- Single Pants, Shirts and Allied Garments Industry, Regulations, Part 606.
- Sportswear and Other Odd Outerwear Divisions of the Apparel Industry, Regulations, Part 561.
- Belts Division of the Apparel Industry, Regulations, Part 575.
- Textile Industry, Regulations, Part 619.
- Knitted and Men's Woven Underwear and Commercial Knitting Industry, Regulations, Part 613.
- Knitted Outerwear Industry, Regulations, Part 617.
- Gloves and Mittens Industry, Regulations, Part 621.

Following the hearing, the presiding officer shall file with the Administrator a complete record of the proceeding,

together with his findings of fact and recommendation thereon.

Signed at New York, New York, this 10th day of October 1942.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 42-10257; Filed, October 12, 1942;
12:25 p. m.]

PRINTING AND PUBLISHING AND ALLIED GRAPHIC ARTS INDUSTRY

NOTICE OF HEARING ON MINIMUM WAGE RECOMMENDATION

Notice of hearing on the minimum wage recommendation of Industry Committee No. 49 for the Printing and Publishing and Allied Graphic Arts Industry, to be held November 9, 1942.

Whereas, the Acting Administrator of the Wage and Hour Division of the United States Department of Labor, acting pursuant to section 5 (b) of the Fair Labor Standards Act of 1938 on September 2, 1942, by Administrative Order No. 156, appointed Industry Committee No. 49 for the Printing and Publishing and Allied Graphic Arts Industry, composed of an equal number of representatives of the public, employers in the industry and employees in the industry, such representatives having been appointed with due regard to the geographical regions in which the industry is carried on; and

Whereas, Industry Committee No. 49, on September 29, 1942, recommended a minimum wage rate for the Printing and Publishing and Allied Graphic Arts Industry and duly adopted a report containing such recommendations and reasons therefor and filed such report with the Administrator on October 1, 1942, pursuant to section 8 (d) of the Act and § 511.19 of the regulations issued under the Act; and

Whereas, the Administrator is required by section 8 (d) of the Act, after due notice to interested persons and giving them an opportunity to be heard, to approve and carry into effect by order the recommendation of Industry Committee No. 49 if he finds that the recommendation is made in accordance with law and is supported by the evidence adduced at the hearing and taking into consideration the same factors as are required to be considered by the industry committee, will carry out the purposes of section 8 of the Act; and, if he finds otherwise, to disapprove such recommendation;

Now, therefore, notice is hereby given that:

I. The recommendation of Industry Committee No. 49 is as follows:

Wages at a rate of not less than 40 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the Printing and Publishing and Allied Graphic Arts Industry (as defined in Administrative Order No. 156) who is engaged in commerce or in the production of goods for commerce.

II. The definition of the Printing and Publishing and Allied Graphic Arts Industry as set forth in Administrative Or-

der No. 156, issued September 2, 1942, is as follows:

The impressing, stamping, or transferring on paper or other materials, of any mark, character, or delineation, through the use of ink, color, or graphic art processes, as well as any preparatory or finishing operations related thereto.

1. It includes, but without limitation, the printing and publishing of newspapers, books, periodicals, maps, music, and all other products or services of typesetters and advertising typographers, electrotypers and stereotypers, photo-engravers, steel and copper plate engravers, commercial printers, lithographers, gravure printers, letter shops, decalcomania manufacturers, private printing plants of concerns engaged primarily in other business, book and pamphlet binders, trade binderies, and news syndicates.

2. The printing of printed forms, blank books, stationery, tablets, calendars, announcement cards, greeting cards, and the like is included within this definition only when performed in "job printing establishments" (as this term is used in the wage order for the Converted Paper Products Industry).

Provided, however, That this definition shall not include the manufacture of products which are covered by a wage order heretofore issued by the Administrator of the Wage and Hour Division, business service establishments not engaged in printing or publishing operations, nor the production of motion pictures, blueprints or photographs, except photographs made in establishments engaged in the production of the articles or services covered by this definition.

The definition of the printing and publishing and allied graphic arts industry covers all occupations in the industry which are necessary to the production of the products or services specified in the definition, including clerical, maintenance, shipping and selling occupations: Provided, however, That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

III. The full text of the report and recommendation of Industry Committee No. 49 is and will be available for inspection by any person between the hours of 9:00 a. m. and 4:30 p. m. at the following offices of the United States Department of Labor, Wage and Hour Division.

Boston, Massachusetts, Old South Building, 294 Washington Street.

New York, New York, 341 Ninth Avenue.

Newark, New Jersey, Essex Building, 31 Clinton Street.

Philadelphia, Pennsylvania, 1216 Widener Building, Chestnut and Juniper Streets.

Pittsburgh, Pennsylvania, 219 Old Post Office Building, Fourth and Smithfield Streets.

Richmond, Virginia, 215 Richmond Trust Building, 627 East Main Street.

Baltimore, Maryland, 201 North Calvert Street.

Raleigh, North Carolina, North Carolina Department of Labor, Salisbury and Edenton Streets.

Columbia, South Carolina, Federal Land Bank Building, Hampton and Marion Streets.

Atlanta, Georgia, Fifth Floor, Witt Building, 249 Peachtree Street NE.

Jacksonville, Florida, 456 New Post Office Building.

Birmingham, Alabama, 1908 Comer Building, 2nd Avenue and 21st Street.

New Orleans, Louisiana, 916 Union Building.

Jackson, Mississippi, 402 Deposit Guaranty Bank Building, 102 Lamar Street.

Nashville, Tennessee, 509 Medical Arts Building, 115 Seventh Avenue, N.

Cleveland, Ohio, Main Post Office, West 3rd and Prospect Avenue.

Cincinnati, Ohio, 1312 Traction Building, 5th and Walnut Streets.

Detroit, Michigan, David Scott Building, 1150 Griswold Street.

Chicago, Ill., 1200 Merchandise Mart, 222 West North Bank Drive.

Minneapolis, Minnesota, 406 Pence Building, 730 Hennepin Avenue.

Kansas City, Missouri, 504 Title and Trust Building, 10th and Walnut Streets.

St. Louis, Missouri, 100 Old Federal Building.

Denver, Colorado, 300 Chamber of Commerce Building, 1726 Champa Street.

Dallas, Texas, Rio Grande National Building, 1100 Main Street.

San Francisco, California, Room 500, Humboldt Bank Building, 785 Market Street.

Los Angeles, California, 417 N. W. Hellman Building.

Seattle, Washington, 305 Post Office Building, 3rd Avenue and Union Street.

San Juan, Puerto Rico, Post Office Box 112.

Washington, District of Columbia, Department of Labor, 1st Floor.

New York, New York, 165 West 46th Street.

Copies of the committee's report and recommendation may be obtained by any person upon request addressed to the Administrator of the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York.

IV. A public hearing will be held on November 9, 1942, before Major Robert N. Campbell, Presiding Officer, at 10:00 a. m. in Room 1610, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York, for the purpose of taking evidence on the following question:

Whether the recommendation of Industry Committee No. 49 should be approved or disapproved.

V. Any interested person supporting or opposing the recommendation of Industry Committee No. 49 may appear at the aforesaid hearing to offer evidence, either on his behalf or on behalf of any other person: Provided, That not later than November 4, 1942, such person shall file with the Administrator at New York, New York, a notice of his intent to appear which shall contain the following information:

1. The name and address of the person appearing.

2. If such person is appearing in a representative capacity, the name and address of the person or persons whom he is representing.

3. Whether such person proposes to appear for or against the recommendation of Industry Committee No. 49.

4. The approximate length of time requested for his presentation.

Such notice may be mailed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York, and shall be deemed filed upon receipt thereof.

VI. Any person interested in supporting or opposing the recommendation of Industry Committee No. 49 may secure further information concerning the

aforesaid hearing by inquiry directed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York, or by consulting with attorneys representing the Administrator who will be available for that purpose at the Office of the Solicitor, United States Department of Labor, in Washington, D. C. and New York, New York.

VII. Copies of the following document relating to the Printing and Publishing and Allied Graphic Arts Industry will be made available on request for inspection by any interested person who intends to appear at the aforesaid hearing:

Report entitled, *Economic Factors Bearing on Minimum Wages in the Printing and Publishing and Allied Graphic Arts Industry*, prepared by the Economics Branch, Wage and Hour Division, United States Department of Labor, September 1942.

VIII. The hearing will be conducted in accordance with the following rules, subject, however, to such subsequent modifications by the Administrator or the Presiding Officer as are deemed appropriate.

1. The hearings shall be stenographically reported and a transcript made which will be available to any person at prescribed rates upon request addressed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York.

2. In order to maintain orderly and expeditious procedure, each person filing a Notice to Appear shall be notified, if practicable, of the approximate day and the place at which he may offer evidence at the hearing. If such person does not appear at the time set in the notice, he will not be permitted to offer evidence at any other time except by special permission of the Presiding Officer.

3. At the discretion of the Presiding Officer, the hearing may be continued from day to day, or adjourned to a later date, or to a different place by announcement thereof at the hearing by the Presiding Officer, or by other appropriate notice.

4. At any stage of the hearing, the Presiding Officer may call for further evidence upon any matter. After the Presiding Officer has closed the hearing before him, no further evidence shall be taken, except at the request of the Administrator, unless provision has been made at the hearing for the later receipt of such evidence. In the event that the Administrator shall cause the hearing to be reopened for the purpose of receiving further evidence, due and reasonable notice of the time and place fixed for such taking of testimony shall be given to all persons who have filed a notice of intention to appear at the hearing.

5. All evidence must be presented under oath or affirmation.

6. Written documents or exhibits, except as otherwise permitted by the Presiding Officer, must be offered in evidence by a person who is prepared to testify as to the authenticity and trustworthiness thereof, and who shall, at the time of offering the documentary exhibit, make a brief statement as to the contents and manner of preparation thereof.

7. Written documents and exhibits shall be tendered in duplicate and the persons preparing the same shall be prepared to supply additional copies if such are ordered by the Presiding Officer. When evidence is embraced in a document containing matter not intended to be put in evidence, such a document will not be received, but the person

offering the same may present to the Presiding Officer the original document together with two copies of those portions of the document intended to be put in evidence.

8. Subpoenas requiring the attendance of witnesses or the presentation of a document from any place in the United States at any designated place of hearing may be issued by the Administrator at his discretion, and any person appearing in the proceeding may apply in writing for the issuance by the Administrator of the subpoena. Such application shall be timely and shall identify exactly the witness or document and state fully the nature of the evidence proposed to be secured.

9. Witnesses summoned by the Administrator shall be paid the same fees and mileage as are paid witnesses in the courts of the United States. Witness fees and mileage shall be paid by the party at whose instance witnesses appear, and the Administrator before issuing subpoena may require a deposit of an amount adequate to cover the fees and mileage involved.

10. The rules of evidence prevailing in the courts of law or equity shall not be controlling.

11. The Presiding Officer may, at his discretion, permit any person appearing in the proceeding to cross-examine any witness offered by another person insofar as is practicable, and to object to the admission or exclusion of evidence by the Presiding Officer. Requests for permission to cross-examine a witness offered by another person and objections to the admission or exclusion of evidence shall be stated briefly with the reasons for such request or the ground of objection relied on. Such requests or objections shall become a part of the record, but this record shall not include argument thereon except as ordered by the Presiding Officer. Objections to the approval of the Committee's recommendation and to the promulgation of a wage order based upon such approval must be made at the hearing before the Presiding Officer.

12. Before the close of the hearing, the Presiding Officer shall receive written requests from persons appearing in the proceeding for permission to make oral arguments before the Administrator upon the matter in issue. The requests will be forwarded to the Administrator by the Presiding Officer with the record of the proceedings. If the Administrator, in his discretion, allows the request, he shall give such notice thereof as he deems suitable to all persons appearing in the proceedings, and shall designate the time and place at which the oral arguments shall be heard. If such requests are allowed, all persons appearing at the hearing will be given opportunity to present oral argument.

13. Briefs (12 copies) may be submitted to the Administrator following the close of the hearing, by any persons appearing therein. Notice of the final dates for filing such briefs shall be given by the Administrator in such manner as shall be deemed suitable by him.

14. On the close of the hearing, the Presiding Officer shall forthwith file a complete record of the proceedings with the Administrator. The Presiding Officer shall not file an intermediate report unless so directed by the Administrator.

15. No order issued as a result of the hearing will take effect until after due notice is given of the issuance thereof by publication in the FEDERAL REGISTER.

Signed at New York, New York, this 10th day of October 1942.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 42-10255; Filed, October 12, 1942; 12:25 p. m.]

MINIMUM WAGE RECOMMENDATION FOR HANDKERCHIEF MANUFACTURING INDUSTRY

NOTICE OF FINAL DATE FOR SUBMISSION OF BRIEFS

Notice of final date for submission of written briefs in the matter of the minimum wage recommendation of Industry Committee No. 46 for the Handkerchief Manufacturing Industry and the prohibition, restriction or regulation of homework in the industry.

Notice is hereby given that the Administrator of the Wage and Hour Division will receive at his office, 165 West 46th Street, New York, New York, from persons who entered an appearance at the hearing held on October 7, 1942 on the minimum wage recommendation of Industry Committee No. 46 for the Handkerchief Manufacturing Industry and the Prohibition, Restriction or Regulation of Homework in the Industry, written briefs bearing on the issues which are before him in this matter, provided that at least twelve copies of each such brief shall be submitted to him before 4:30 p. m., Wednesday, November 4, 1942.

Signed at New York, New York, this 10th day of October 1942.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 42-10256; Filed, October 12, 1942; 12:25 p. m.]

LEARNER EMPLOYMENT CERTIFICATES ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of Special Certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective October 12, 1942. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel Industry

Capitol City Clothing Co., 1 Breunig Ave., Trenton, New Jersey; Men's coats; 7 learners (T); October 12, 1943.

Stanley's Sportswear, 10 Leonard St., Amsterdam, New York; Sportswear, jackets; 7 learners (T); October 12, 1943.

Taneytown Mfg. Co., Taneytown, Maryland; Men's coats, vests and pants; 5 percent (T); October 12, 1943.

Union Underwear Co., Inc., Frankfort, Kentucky; Men's and boys' underwear of woven fabrics; 60 learners (E); April 12, 1943.

Adolf Vogel, 119 Military Plaza, San Antonio, Texas; Men's leather belts; 5 learners (T); October 12, 1943.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-lined Garments Divisions of the Apparel Industry

Bayard Sportswear Co., 40 Harrison Ave., Boston, Massachusetts; Trousers, sport coats, ski jackets and ski pants; 3 learners (T); October 12, 1943.

Michael Berkowitz Co., Inc., Frostburg, Maryland; Men's pajamas; 10 percent (T); October 12, 1943.

Max Blank, 432 Market St., Philadelphia, Pennsylvania; Ladies' cotton dresses and blouses; 8 learners (T); October 12, 1943.

Blossom Dress Co., 315 Cherry St., Scranton, Pennsylvania; Ladies' and children's dresses; 10 learners (T); October 12, 1943.

Burney Axe Co., 1315 Cherry St., Philadelphia, Pennsylvania; Ladies' dresses; 10 percent (T); October 12, 1943.

Cluett, Peabody & Co., Inc., 433 River St., Troy, New York; Cravats, woven underwear and handkerchiefs; 5 percent (T); October 12, 1943.

Cluett, Peabody & Co., Inc., 433 River St., Troy, New York; Collars, dress and sport shirts; 10 percent (T); October 12, 1943.

Cluett, Peabody & Co., First St., Leominster, Massachusetts; Men's fine shirts; 10 percent (T); October 12, 1943.

Cluett, Peabody & Co., Inc., Corinth, New York; Dress and sport shirts; 10 percent (T); October 12, 1943.

Cluett, Peabody & Co., Inc., 2022 Murphy Ave., S. W., Atlanta, Georgia; White and colored dress shirts; 10 percent (T); October 12, 1943.

Cookeville Shirt Co., 201 North Walnut St., Cookeville, Tennessee; Work shirts; 10 percent (T); October 12, 1943.

Corrine Undergarment Co., Inc., 105-115 South Market St., Chicago, Illinois; Ladies' and children's raincoats; 5 learners (T); October 12, 1943.

Cortland Corset Co., 75 East Court St., Cortland, New York; Corsets and foundation garments; 10 percent (T); October 12, 1943.

Cosmopolitan Mfg. Co., 56 Amherst St., Cambridge, Massachusetts; Men's waterproof clothing, field jackets and other coats; 5 percent (T); October 12, 1943.

Crescent Corset Co., Inc., 165 Main St., Cortland, New York; Foundation garments and slips; 10 percent (T); October 12, 1943.

Diane Sportswear Co., 12 N. Hamilton St., Poughkeepsie, New York; Ladies' blouses; 5 learners (T); October 12, 1943.

D. Gamson & Co., 1105 West Chicago Ave., Chicago, Illinois; Ladies' and children's aprons and wash dresses; 10 learners (T); October 12, 1943.

Hollywood Maxwell Co., Unit #3, Cameron, Missouri; Brassieres; 5 learners (T); October 12, 1943.

The Hooker Corser & Mitchell Co., 21 Frost St., Brattleboro, Vermont; Overalls, coats, shirts, pants and aprons; 10 learners (T); October 12, 1943. (This certificate replaces the one bearing the expiration date of July 27, 1943.)

Hoosick Falls Undergarment Corp., Hoosick St., Hoosick Falls, New York; Ladies' rayon knitted underwear and rayon woven slips; 10 learners (T); October 12, 1943.

Joseph Horowitz & Sons, Inc., 43 Liberty St., Batavia, New York; Work shirts, army and officers' shirts; 10 percent (T); October 12, 1943.

Huntington Mfg. Co., 5218 Wentworth Ave., Chicago, Illinois; Cotton wash dresses; 5 percent (T); October 12, 1943.

Knickerbocker Mfg. Co., Inc., Main St., West Point, Mississippi; Shorts (civilian and U. S. Army), pajamas; 10 percent (T); October 12, 1943.

Kramer Pants Co., 711 Main St., Asbury Park, New Jersey; Boys' pants; 5 learners (T); October 12, 1943.

T. S. Lankford & Sons, 151½ Walnut St., Abilene, Texas; U. S. Army trousers, uniforms and work clothing; 10 percent (T); October 12, 1943.

Lebanon Garment Co., Market St., Lebanon, Tennessee; Single pants; 10 percent (T); October 12, 1943.

Louisville Shirt Co., Louisville, Georgia; Men's and boys' work cotton clothes; 5 learners (T); October 12, 1943.

McMullen-Leavens Co., 51 Lawrence St., Glens Falls, New York; Men's shirts and women's dresses; 10 percent (T); October 12, 1943.

Monarch Wash Suit Co., 322 Bank St., New London, Connecticut; Boy's shirts and slacks; 10 learners (T); October 12, 1943.

The Nite Kraft Corp., 451 South Jefferson St., Orange, New Jersey; Girls' and women's sleeping apparel; 40 learners (T); October 12, 1943.

Normandin Brothers Co., 2715 South Main St., Los Angeles, California; Robes and sportswear; 10 learners (T); October 12, 1943.

The Parker Shirt Co., 24 Walnut St., New Britain, Connecticut; Shirts, pajamas, short drawers; 10 learners (T); October 12, 1943. (This certificate replaces the one bearing the expiration date of October 5, 1943.)

Pioneer Mfg. Co., Inc., 61 South Pennsylvania Ave., Wilkes-Barre, Pennsylvania; Children's dresses and play togs; 10 percent (T); October 12, 1943.

Rice-Stix Factory #9, 417 North 10th St., St. Louis, Missouri; Ladies dresses; 10 percent (T); October 12, 1943.

J. Rogat Shirt Co., 201 Pennsylvania Ave., Bangor, Pennsylvania; Men's shirts; 10 percent (T); October 12, 1943.

Royal Mfg. Co., Washington, Georgia; Cotton trousers; shorts and shirts; 65 learners (E); April 12, 1943.

Savada Brothers, Baltimore St., Glen Rock, Pennsylvania; Boys' pajamas; sport shirts; 10 percent (T); October 12, 1943.

Shawnee Garment Co., 110 Downing St., Plymouth, Pennsylvania; Dresses; 25 learners (E); April 12, 1943.

Boris Smoler & Sons, Crawford & Prospect Sts., Elkhart, Indiana; Wash dresses and mosquito bars; 10 percent (T); October 12, 1943. (This certificate replaces the one bearing the expiration date of October 1, 1943.)

Tiny Town Togs, Inc., 2 River St., Troy, New York; Children's dresses; 10 percent (T); October 12, 1943.

The Umholtz Mfg. Co., 115 Gordon Ave., Carbondale, Pennsylvania; Women's cotton pajamas and dresses; 10 learners (T); October 12, 1943.

Elias Wexelblat & Sons, 432 Market St., Philadelphia, Pennsylvania; Ladies' cotton dresses; 5 learners (T); October 12, 1943.

Wilson-Collier Co., 655 Atlantic Ave., Boston, Massachusetts; Children's dresses, skirts and blouses; 10 percent (T); October 12, 1943.

Winer Mfg. Co., 231 Condit St., Hammond, Indiana; Jackets and mackinaws; 10 learners (T); October 12, 1943.

Cigar Industry

Cuban Cigar Co., 717 Main St., Joplin, Missouri; Cigars; 10 percent (T); Cigar machine operators and cigar packers to have learning period of 320 hours and stripping machine operators to have learning period of 160 hours at 75 percent of the applicable minimum wage; October 11, 1943.

Glove Industry

Julius Kayser & Co., 453 DeKalb Ave., Brooklyn, New York; Knit fabric gloves; 10 percent (T); October 12, 1943. (This certificate replaces the one bearing the expiration date of November 24, 1942.)

Peerless Glove Co., 633 Elliott St., Grand Haven, Michigan; Work gloves; 5 learners (T); October 12, 1943.

United Glove Co., 2439 West Fond du Lac Ave., Milwaukee, Wisconsin; Work gloves; 2 learners (T); October 12, 1943.
Wings Knitting Co., 827 E. Locust St., Milwaukee, Wisconsin; Knit wool gloves; 5 learners (T); October 12, 1943. (This certificate replaces the one bearing the expiration date of August 31, 1943.)

Hosiery Industry

Asheville Hosiery Co., Deaverview Road, Asheville, North Carolina; Full-fashioned hosiery; 5 percent (T); October 12, 1943. (This certificate replaces the one bearing the expiration date of March 30, 1943.)

Black Mountain Hosiery Mills, Inc., Black Mountain Ave., Black Mountain, North Carolina; Seamless hosiery; 5 learners (T); October 12, 1943.

Damascus Hosiery Mills, Inc., Damascus, Virginia; Seamless hosiery; 5 learners (T); October 12, 1943.

Holston Mfg. Co., Ninth & Mitchell St., Knoxville, Tennessee; Seamless hosiery; 5 percent (T); October 12, 1943.

Infants Socks, Inc., Eufaula, Alabama; Seamless hosiery; 5 percent (T); October 12, 1943.

Laurens Hosiery Mills, Inc., 424 Catherine St., Laurens, South Carolina; Full-fashioned hosiery; 20 learners (E); April 12, 1943.

Mac Hosiery Mill, Granite Falls, North Carolina; Seamless hosiery; 2 learners (T); October 12, 1943.

Maywood Silk Hosiery Mills, Inc., Cordele, Georgia; Full-fashioned hosiery; 5 learners (T); October 12, 1943.

Nelson Knitting Co., 909-11 South Main St., Rockford, Illinois; Seamless hosiery; 5 percent (T); October 12, 1943.

Shenandoah Knitting Mills, Inc., Shenandoah, Virginia; Full-fashioned hosiery; 5 percent (T); October 12, 1943.

Triangle Hosiery Co., Grimes St., High Point, North Carolina; Seamless hosiery; 5 percent (T); October 12, 1943.

Textile Industry

The American Mills—Permoflex Plant, 158 Orange Ave., West Haven, Connecticut; Cotton and rayon; 30 learners (E); January 12, 1943.

Cleveland Silk Mills, Inc., 38th St., Cleveland, Tennessee; Twisting rayon for hosiery; 5 learners (T); October 12, 1943.

Columbia Silk Throwing Co., Seventh St., Bloomsburg, Pennsylvania; Commission throwing rayon; 6 learners (T); October 12, 1943.

Louis Ungar Braid Co., Inc., 177 Jersey Ave., Port Jervis, New York; Cotton and rayon; 3 learners (T); October 12, 1943.

Signed at New York, N. Y., this 10th day of October 1942.

MERLE D. VINCENT,
Authorized Representative
of the Administrator.

[F. R. Doc. 42-10258; Filed, October 12, 1942; 12:26 p. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket 6410]

MIAMI BROADCASTING COMPANY (WQAM)

NOTICE DENYING PETITION

In re application of Miami Broadcasting Company (WQAM), dated March 9, 1942, for modification of construction permit; class of service, broadcast; class of station, broadcast; location, Miami, Florida; operating assignment specified: frequency, 560 kc.; power, 1 kw. night; 5 kw. day; hours of operation, unlimited.

You are hereby notified that the Commission on August 18, 1942, denied the petition of the applicant filed pursuant to the memorandum opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the operation of Station WQAM as proposed would be consistent with the Standards of Good Engineering Practice particularly as to the population residing within the predicted 250 mv/m contour (section 4, Standards of Good Engineering Practice).

2. To determine the availability of other transmitter sites which would comply with the Standards of Good Engineering Practice.

3. To determine the cost of completing the construction authorized in permit No. B3-P-2597, and the financial outlay, if any, incurred in connection therewith by the applicant prior to April 27, 1942.

4. To determine when the construction heretofore authorized in permit No. B3-P-2597 was actually commenced.

5. To determine what materials and equipment the applicant has on hand or available for the construction authorized in permit No. B3-P-2597 and the additional materials and equipment, if any, necessary for the completion thereof.

6. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its memorandum opinion of April 27, 1942.

7. To determine whether, in view of the foregoing, public interest, convenience and necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Miami Broadcasting Company, Radio Station WQAM 327-329 N. E. First Avenue, Miami, Florida.

Dated at Washington, D. C., October 8, 1942.

By the Commission,

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-10275; Filed, October 13, 1942; 11:00 a. m.]

[Docket 6397]

INDEPENDENCE BROADCASTING COMPANY

NOTICE OF HEARING

In re application of Independence Broadcasting Company (WHAT), dated May 25, 1942, for modification of license; class of service, broadcast; class of station, broadcast; location, Philadelphia, Pennsylvania; operating assignment specified: frequency, 1550 kc.; power, 100 w.; hours of operation, unlimited.

You are hereby notified that the Commission has examined the above-described application and has designated the matter for hearing for the following reasons:

1. To determine the extent of interference which would result from the simultaneous operation of Station WHAT as proposed and Station CKTB, St. Catharines, Ontario.

2. To determine whether the operation of Station WHAT as proposed would be in compliance with the provisions of the NARBA (Appendix I, Table III, NARBA).

3. To determine whether the granting of this application would be consistent with Standards of Good Engineering Practice particularly in view of the expected nighttime interference limitation to the service of Station WHAT operating as proposed.

4. To determine the areas and populations which would lose service should Station WHAT operate as proposed and what other broadcast services are available to these areas and populations.

5. To determine whether the proposed radiating system of Station WHAT complies with the Standards of Good Engineering Practice particularly as to height.

6. To determine whether the granting of this application would be in compliance with §§ 3.22 (b) and 3.25 (b), Federal Communications Commission Rules.

7. To determine whether the granting of this application would be consistent with the Commission's memorandum opinion of April 27, 1942.

8. To determine whether the granting of this application would tend toward a fair, efficient and equitable distribution of radiobroadcast service as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

9. To determine whether in view of the foregoing, the granting of this application would serve public interest, convenience and necessity.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Independence Broadcasting Co., Inc. (WHAT), Public Ledger Building, Sixth and Chestnut Streets, Philadelphia, Pennsylvania.

Dated at Washington, D. C., October 12, 1942.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-10276; Filed, October 13, 1942;
11:00 a. m.]

[Docket 6387]

WBYN—BROOKLYN INCORPORATED
(WBYN)

NOTICE OF HEARING

In re application of WBYN—Brooklyn, Incorporated (WBYN) dated May 4, 1942, for modification of license to move main studio; class of service, broadcast; class of station, broadcast; location, Brooklyn, New York; operating assignment specified: Frequency, 1430 kc.; power, 500 w. night; 1 kw. day; hours of operation, unlimited.

You are hereby notified that the Commission has examined the above-described application and has designated the matter for hearing for the following reasons:

1. To determine whether Station WBYN would have a minimum field intensity of 25 to 50 mv/m both daytime and nighttime over the business and factory areas of the Borough of Manhattan.

2. To determine whether Station WBYN would have a minimum field intensity of 5 to 10 mv/m both daytime and nighttime over the most distant

residential sections of the Borough of Manhattan.

3. To determine whether the operation of Station WBYN as proposed would be consistent with § 3.30 (b), Federal Communications Commission Rules.

4. To determine whether the granting of this application would tend toward a fair, efficient and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

5. To determine whether, in view of the foregoing, public interest, convenience and necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: WBYN—Brooklyn, Incorporated, Radio Station WBYN, #1 Nevins Street, Brooklyn, New York.

Dated at Washington, D. C., October 12, 1942.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-10277; Filed, October 13, 1942;
11:00 a. m.]

EXHIBIT A—Continued

Design Patent No.	Date	Inventor	Title
104,536	5/18/37	Y. Buma	Design for a plate or similar article.
104,537	5/18/37	Y. Buma	Design for a plate or similar article.
104,538	5/18/37	Y. Buma	Design for a plate or similar article.
105,559	8/17/37	Y. Buma	Design for a plate or similar article.
105,560	8/17/37	Y. Buma	Design for a plate or similar article.
105,561	8/17/37	Y. Buma	Design for a plate or similar article.
105,562	8/17/37	Y. Buma	Design for a plate or similar article.
105,563	8/17/37	Y. Buma	Design for a plate or similar article.
105,564	8/17/37	Y. Buma	Design for a plate or similar article.
105,565	8/17/37	Y. Buma	Design for a plate or similar article.
105,566	8/17/37	Y. Buma	Design for a plate or similar article.
105,567	8/17/37	Y. Buma	Design for a plate or similar article.
105,568	8/17/37	Y. Buma	Design for a plate or similar article.
105,569	8/17/37	Y. Buma	Design for a plate or similar article.
105,570	8/17/37	Y. Buma	Design for a plate or similar article.
105,571	8/17/37	Y. Buma	Design for a plate or similar article.
105,572	8/17/37	Y. Buma	Design for a plate or similar article.
105,573	8/17/37	Y. Buma	Design for a plate or similar article.
105,574	8/17/37	Y. Buma	Design for a plate or similar article.
105,575	8/17/37	Y. Buma	Design for a plate or similar article.
105,576	8/17/37	Y. Buma	Design for a plate or similar article.
105,577	8/17/37	Y. Buma	Design for a plate or similar article.
105,578	8/17/37	Y. Buma	Design for a plate or similar article.
105,579	8/17/37	Y. Buma	Design for a plate or similar article.
105,580	8/17/37	Y. Buma	Design for a plate or similar article.
105,581	8/17/37	Y. Buma	Design for a plate or similar article.
105,582	8/17/37	Y. Buma	Design for a plate or similar article.
105,583	8/17/37	Y. Buma	Design for a plate or similar article.
105,584	8/17/37	Y. Buma	Design for a plate or similar article.
105,585	8/17/37	Y. Buma	Design for a plate or similar article.
105,586	8/17/37	Y. Buma	Design for a plate or similar article.
105,587	8/17/37	Y. Buma	Design for a plate or similar article.
105,588	8/17/37	Y. Buma	Design for a plate or similar article.
105,589	8/17/37	Y. Buma	Design for a plate or similar article.
105,590	8/17/37	Y. Buma	Design for a plate or similar article.
105,591	8/17/37	Y. Buma	Design for a plate or similar article.
105,592	8/17/37	Y. Buma	Design for a plate or similar article.
105,593	8/17/37	Y. Buma	Design for a plate or similar article.
105,594	8/17/37	Y. Buma	Design for a plate or similar article.
105,595	8/17/37	Y. Buma	Design for a plate or similar article.
105,596	8/17/37	Y. Buma	Design for a plate or similar article.
105,597	8/17/37	Y. Buma	Design for a plate or similar article.
105,598	8/17/37	Y. Buma	Design for a plate or similar article.
105,599	8/17/37	Y. Buma	Design for a plate or similar article.
105,600	8/17/37	Y. Buma	Design for a plate or similar article.

EXHIBIT A—Continued

Design Patent No.	Date	Inventor	Title
117,816	11/28/39	C. Leigh	Design for a plate or similar article.
117,817	11/28/39	C. Leigh	Design for a plate or similar article.
117,818	11/28/39	C. Leigh	Design for a plate or similar article.
117,819	11/28/39	C. Leigh	Design for a plate or similar article.
117,820	11/28/39	C. Leigh	Design for a plate or similar article.
117,821	11/28/39	C. Leigh	Design for a plate or similar article.
117,822	11/28/39	C. Leigh	Design for a plate or similar article.
117,823	11/28/39	C. Leigh	Design for a plate or similar article.
117,824	11/28/39	C. Leigh	Design for a plate or similar article.
117,825	11/28/39	C. Leigh	Design for a plate or similar article.
117,826	11/28/39	C. Leigh	Design for a plate or similar article.
117,827	11/28/39	C. Leigh	Design for a plate or similar article.
117,828	11/28/39	C. Leigh	Design for a plate or similar article.
117,829	11/28/39	C. Leigh	Design for a plate or similar article.
117,830	11/28/39	C. Leigh	Design for a plate or similar article.
117,831	11/28/39	C. Leigh	Design for a plate or similar article.
117,832	11/28/39	C. Leigh	Design for a plate or similar article.
117,833	11/28/39	C. Leigh	Design for a plate or similar article.
117,834	11/28/39	C. Leigh	Design for a plate or similar article.
117,835	11/28/39	C. Leigh	Design for a plate or similar article.
117,836	11/28/39	C. Leigh	Design for a plate or similar article.
117,837	11/28/39	C. Leigh	Design for a plate or similar article.
117,838	11/28/39	C. Leigh	Design for a plate or similar article.
117,839	11/28/39	C. Leigh	Design for a plate or similar article.
117,840	11/28/39	C. Leigh	Design for a plate or similar article.

EXHIBIT B

Patents the titles to which stand of record in the United States Patent Office in the name of G. Polysius A. G., and the numbers of which are as follows:

Patent No.	Patent date	Inventor	Title
1,640,528	8/30/27	B. Bruhn	Regulating discharge from containers.
1,650,508	11/22/27	P. Goebels	Compound mill.
1,671,243	6/29/28	J. Ihfeldt	Rotary kiln for burning, roasting, and sintering of mineral materials.
1,673,051	6/12/28	F. Luther	Drying apparatus or rotary kilns.
1,675,717	7/3/28	F. Luther	Method of manufacturing cements rich in alumina.
1,677,182	7/17/28	F. Luther	Device for utilizing the heat reflected from kilns.
1,688,433	5/6/29	A. Bues	Grinding body for tube and drum mills.
1,693,657	1/29/30	J. Ihfeldt	Apparatus for weighing continuously-moving granular material.
1,717,564	6/18/28	J. Ihfeldt	Crushing machine for hard materials.
1,719,979	7/9/29	J. Ihfeldt	Blowing nozzle for conveying plants operated with compressed air.
1,733,302	10/29/29	H. Horn	Process of making fused cement.
1,741,973	12/31/29	B. Bruhn	Refractory material.
1,744,547	1/21/30	A. Hasselbach	Device for weighing material during its motion through a conveyor.
1,751,898	3/25/30	R. Uhlig	Conveyor for pulverized material.
1,755,779	4/22/30	P. Goebels	Apparatus for burning coal dust.
1,757,852	5/7/30	P. Goebels	Method of and apparatus for mixing powdered material.
1,762,862	6/10/30	A. Hasselbach	Cooling apparatus for rotary kilns.
1,773,019	8/19/30	P. Goebels	Rotary-kiln cooler.
1,788,839	1/13/31	F. Luther	Method of reducing gypsum.
1,797,831	3/24/31	F. Luther	Apparatus for conveying bulk goods.
1,801,741	4/21/31	P. Goebels	Method of producing a lining for a rotary furnace.
1,815,403	7/21/31	P. Goebels	Apparatus for conveying pulverulent material.
1,869,237	7/26/32	B. Bruhn	Apparatus for treating cement slurry and the like.
1,893,843	11/21/33	P. Goebels	Process for stirring up farinaceous materials in receptacles of any kind by compressed air, compressed gas or the like.
1,957,138	5/1/34	A. Hasselbach	
1,971,852	8/28/34	P. Goebels	

EXHIBIT B—Continued

Patent No.	Patent date	Inventor	Title
1,971,853	8/28/34	J. Ihfieldt	Apparatus for conveying powdered material.
2,031,710	2/27/36	J. Ihfieldt	Pulverizing apparatus.
2,033,406	3/10/36	A. Barenyl	Photographic camera.
2,035,084	3/31/36	J. Ihfieldt	Photographic camera.
2,073,106	9/9/37	J. Ihfieldt	Heat exchange apparatus.
2,087,344	7/20/37	P. Hoffmann	Heat exchange apparatus.
2,112,492	3/24/38	A. Hasselbach	Apparatus for use in the manufacture of cement.
2,112,560	3/24/38	A. Hasselbach	Process and apparatus for the production of metallic iron in the rotary tube kiln.
2,128,166	8/23/38	T. Schmidt	Centrifugal separator.
2,160,224	2/13/40	A. Hasselbach	Heat exchange apparatus.

EXHIBIT C

Patents the titles to which stand of record in the United States Patent Office in the name of Fried. Krupp A. G., and the numbers of which are as follows:

Patent No.	Patent date	Inventor	Title
1,551,874	9/1/25	E. Hagenbucher	Locomotive tender.
1,557,546	10/20/25	W. Akemann	Fire-control apparatus for naval guns.
1,561,389	11/10/25	W. Wolters	Reflex oven.
1,574,272	2/23/26	W. Akemann	Apparatus for determining the time of flight of a projectile.
1,583,101	5/18/26	P. Kruger	Underframe for railway cars.
1,602,028	10/7/26	R. Klingelhoefer	Condensing steam locomotive.
1,604,815	12/7/26	R. Klingelhoefer	Locomotive.
1,611,067	2/8/27	R. Klingelhoefer	Revolving device for condensing locomotives.
1,630,214	6/7/27	E. Pretzelner	Electric overload protective system.
1,631,111	6/7/27	E. Pretzelner	Surface condenser.
1,633,632	9/27/27	K. Himmelsbach	Fuel-injection device for internal-combustion engines.
1,648,138	9/27/27	M. Bartholdy	Implement for testing cones.
1,658,693	11/8/27	K. Laner	Precision indicator.
1,663,535	2/14/28	M. Bartholdy	Feeling-bolt-hole gauge.
1,669,535	4/3/28	M. Bartholdy	Method of testing taper holes.
1,670,968	5/22/28	R. Klingelhoefer	Condensing locomotive.
1,671,220	5/29/28	M. Bartholdy	Precision indicator for gauge measuring.
1,676,719	7/10/28	O. Von Eberhard	Milling cutter.
1,676,721	7/10/28	M. Bartholdy	Gauge with a precision indicator for testing the flank diameter of external threads.
1,683,776	9/11/28	H. Herrmann	Power-driven vehicle.
1,684,700	9/18/28	F. Hauptmeyer	Casting article of corrosionproof steel.
1,688,111	10/16/28	K. Bohle	Manufacturing kettle-shaped hollow bodies.
1,690,553	11/6/28	L. Schon	Alternating-current induction motor.
1,700,674	1/24/29	A. Fry	Method of treating low-carbon steel and the like.
1,701,233	2/5/29	E. Hagenbucher	Desuperheater.
1,707,207	4/2/29	K. Himmelsbach	Piston for internal-combustion engines.
1,711,733	5/7/29	H. Houdremont	Steel alloy.
1,712,719	5/14/29	L. Schon	Converting multiphase current into single-phase current and vice versa.
1,712,992	5/14/29	H. Herrmann	Turbine locomotive.
1,722,523	7/30/29	H. Just et al.	Fire-control apparatus for guns.
1,723,176	8/7/29	E. Kalisch	Welded underframe for railway cars.
1,724,202	8/13/29	W. Jacobs	Variable-speed gear.
1,725,061	9/10/29	G. Immanuel et al.	Self-discharging car.
1,726,378	9/24/29	A. Fry	Method of manufacturing articles for which a resistibility against the noxious effect of the aged state is required.
1,741,031	12/31/29	W. Jacobs	Variable-speed gear.
1,743,557	1/14/30	W. Lindner	Combustion motor-driven locomotive and method of operating same.
1,747,238	2/19/30	S. Gross	Butter.
1,749,842	3/11/30	J. Pritschner	Electromagnetic controlling apparatus.
1,750,394	3/11/30	A. Schumuck	Separator drum.
1,758,273	5/13/30	J. Becker et al.	Signaling device for guns.

EXHIBIT C—Continued

Patent No.	Patent date	Inventor	Title
1,759,558	5/20/30	W. Jacobs	Variable-speed gear.
1,759,753	5/20/30	W. Lindner	Pneumatic couplings.
1,760,226	5/27/30	F. Siablen	Iron-nickel alloy.
1,760,783	7/15/30	H. Just et al.	Fire control apparatus.
1,771,114	7/22/30	A. Fry	Ladle.
1,771,918	7/29/30	A. Fry	Heating metal melts.
1,775,460	9/7/30	H. Herrmann	Variable-speed gear.
1,782,023	11/26/30	K. Hofmann	Purifying pig iron.
1,782,031	12/30/30	B. Strauss	Steel alloy insensible to hot gases and vapors.
1,785,368	3/10/31	W. Lindner	Multiple-speed wheel gear.
1,785,332	3/10/31	U. W. Wick	Forceps or scissors-like surgical instrument.
1,785,555	3/17/31	A. Bessler	Dynamic braking device for idly running motors.
1,800,082	4/7/31	J. Knigge	Metal drum.
1,800,122	4/7/31	H. Volgtlander et al.	Process for producing articles of refractory metal alloys.
1,808,435	6/2/31	F. Fungo	Controlling system for polyphase alternating current motors.
1,814,214	7/13/31	S. Gross	Laminated spring.
1,814,214	7/13/31	W. Jacobs	Variable speed gear.
1,827,582	10/13/31	B. Strauss	Process for making steel insensible to the action of hot gases and vapors.
1,829,118	10/27/31	B. Strauss	Milling the rail seats of timber ties.
1,830,977	11/10/31	W. Banter	Muffle furnace.
1,833,088	11/24/31	P. Mohring	Low carbon steel.
1,855,105	4/10/32	A. Fry	Process for manufacturing shapes from homogeneous alloys of great hardness.
1,855,994	4/26/32	E. Schnabel	Railway tie.
1,862,266	6/7/32	V. Herwig et al.	Indicator jaw gauge.
1,863,673	6/21/32	A. Schraven	Condensing locomotive.
1,871,493	8/16/32	E. Burmester	Steel article insensible to the action of hot gases, vapors, and liquids.
1,876,091	9/6/32	B. Strauss	Drawing press.
1,884,935	11/5/32	K. Bohle	Metal drum.
1,888,899	11/22/32	P. Wolf	Steering gear for vehicles.
1,889,728	11/29/32	A. Flettner	Conical spiral spring.
1,892,339	12/27/32	S. Gross	Shaped body having a predominating percentage of tungsten or molybdenum and process of producing it.
1,895,930	1/31/33	H. Volgtlander et al.	Quadrangular tube.
1,897,126	2/14/33	M. Ingenkamp	Steel vessel and method of producing same.
1,900,988	3/14/33	F. Gonschuer et al.	Metal drum.
1,904,753	4/15/33	P. Wolf	Railway car coupler.
1,904,753	4/15/33	E. Lorenz et al.	High speed piston compressor.
1,922,789	7/10/33	E. Wolf	Magnetic friction apparatus.
1,933,856	11/14/33	W. W. Allen et al.	Brake operating means.
1,943,339	3/12/34	C. Alma et al.	Welding iron, steel, and their alloys.
1,950,587	5/22/34	K. Kautz	Dental plate.
1,954,781	7/31/34	F. Hauptmeyer	Armor plate.
1,958,743	11/19/35	F. Rittershausen	Beverage delivering apparatus.
1,957,847	11/19/35	M. Louis	Beverage delivering apparatus.
1,961,368	11/19/35	M. Louis	Draft gear for railway vehicles.
1,962,953	11/20/35	K. Kautz	Welding iron, steel, and alloys of iron or steel.
1,964,927	9/22/36	C. Carus	Corrosion resistant alloy.
1,969,746	11/7/36	F. Rittershausen	Homogeneous armor plate.
1,989,893	4/6/37	F. Naumann	Manufacture of articles from steel alloys.
1,975,911	8/17/37	A. Roth	Internal combustion engine.
1,990,105	9/17/37	E. Burmester	Method of discharging the exhaust steam of steam plants into the open air.
1,994,315	9/28/37	E. Burmester	Jointed coupling.
2,104,101	1/4/38	K. Rosenbaum	Manufacture of articles from steel alloys.
2,109,118	2/22/38	F. Naumann	Manufacture of articles from steel alloys.
2,109,119	2/22/38	F. Naumann	Manufacture of articles from steel alloys.
2,132,877	10/11/38	F. Naumann	Manufacture of articles from steel alloys.
2,157,653	5/9/39	F. Naumann	Manufacture of articles from steel alloys.
2,157,654	5/9/39	F. Naumann	Manufacture of articles from steel alloys.
2,180,332	2/13/40	E. Nuding	Pivot gun.
2,200,618	7/30/40	W. Vogel	Preparing bulk material and apparatus therefor.
2,240,172	4/29/41	E. Burmester	Automatic lubrication of bearings on crankpins.

EXHIBIT D

Patents the titles to which stand of record in the United States Patent Office in the name of Fried. Krupp Grusonwerk, A. G., and the numbers of which are as follows:

Patent No.	Patent date	Inventor	Title
1,565,038	12/ 8/25	G. Ullrich	Zone pole for magnetic separators.
1,570,060	3/16/26	G. Ullrich	Process and apparatus for wet magnetic separation.
1,601,658	9/28/26	G. Ullrich	Magnetic separator.
1,617,971	2/15/27	G. Ullrich	Process and apparatus for wet magnetic separation.
1,618,204	2/22/27	F. Wiegand	Treatment of ores and metallurgical products.
1,628,816	5/17/27	P. Wiegand	Platen printing press.
1,654,109	12/27/27	A. Born	Extrusion press.
1,661,794	3/ 6/28	A. Born	Liquid-expressing apparatus.
1,661,814	3/ 6/28	P. Kutschbach	Extrusion press.
1,663,331	3/20/28	A. Born	Platen printing press.
1,663,363	3/20/28	P. Wiegand	Extrusion press.
1,670,336	5/22/28	A. Born	Extrusion press.
1,672,659	6/ 5/28	C. Dahn	Apparatus for the separation of oil from oil-containing substances.
1,685,434	9/25/28	C. Dahn	Hotbed.
1,689,452	10/30/28	E. Kastel	Lead-cable press.
1,689,572	10/30/28	P. Wiegand	Vertical lead-cable press.
1,689,573	10/30/28	P. Wiegand	Process and apparatus for the wet-magnetic separation of ores and other mixtures of materials on drum separators.
1,697,875	1/ 1/29	G. Ullrich	Process of producing zinc.
1,705,128	3/12/29	C. Matzel	Apparatus for heating materials.
1,720,974	7/16/29	F. Wiegand	Machine for decorticating fibrous parts of agaves and other plants.
1,725,815	8/27/29	F. Wiegand	Method of producing metallic sulphates.
1,728,865	8/27/29	F. Wiegand	Treatment of sulphide ores or sulphidic metallurgical products.
1,728,881	9/17/29	F. Wiegand	Cleaning plant fibers.
1,730,966	9/24/29	F. Wiegand	Roller mill.
1,730,967	10/ 8/29	A. Voegel	Treatment of ores and metallurgical products.
1,731,898	10/15/29	H. Helne	Process of extracting volatizable metals from ores and metallurgical products.
1,736,665	11/19/29	H. Pape	Process and apparatus for stripping the kernels of coffee berries and other similar fruits.
1,737,071	11/26/29	S. Birnie	Lead cable press.
1,737,773	12/ 3/29	K. Schrott	Multiple-tape-winding machine.
1,743,298	1/14/30	P. Wiegand	Discharge means for tube or ball mills.
1,753,685	4/ 8/30	P. Wiegand	Method of recovering gasifiable metals as oxides.
1,754,169	4/ 8/30	F. Wiegand	Process for treating ores and metallurgical products, slags, and the like.
1,754,170	4/ 8/30	F. Wiegand	Process of recovering volatizable metals from ores or the like.
1,755,712	4/22/30	H. Stephan	Press for working up com. lex ores and metallurgical products.
1,755,827	6/10/30	G. Wiegand	Machine for winding or covering cables or the like with tape or strip material.
1,756,658	7/13/30	P. Wiegand	Rotary tubular furnace.
1,758,102	12/23/30	P. Wiegand	Shaking sifter.
1,787,841	1/ 6/31	E. Schulte	Magnetic separating machine.
1,794,075	2/24/31	M. Hesse	Apparatus for vulcanizing tires and other rubber articles.
1,797,597	5/24/31	G. Ullrich	Apparatus for grinding the rolls of ore crushing or like mills.
1,798,826	5/24/31	P. Wiegand	Apparatus for separating material.
1,806,226	7/14/31	E. Voegel	Press for moist material.
1,814,968	7/28/31	G. Ullrich	Magnetic separating machine.
1,816,365	7/28/31	G. Ullrich	Press for moist material.
1,840,263	1/ 5/32	K. Schulte	Magnetic separating machine.
1,842,851	1/26/32	G. Ullrich	Press for moist material.
1,844,660	2/ 9/32	E. Kastel	Rotary cutter.
1,844,782	2/ 9/32	E. Kastel	Apparatus for cooling loose material.
1,857,785	5/10/32	K. Holzapfel	Grinding body.
1,864,542	5/28/32	K. Holzapfel	Charging device of the hopper type.
1,866,781	7/12/32	G. Ullrich	Apparatus for magnetic separation of materials.
1,866,781	7/12/32	G. Ullrich	Apparatus for evaporating cement slurry.
1,865,501	1/24/33	C. Mitag	Apparatus for separating stone troughs, and like apparatus.
1,865,500	1/24/33	C. Mitag	Machine for decorticating fiber-containing plants.
1,866,712	2/ 7/33	F. Linke	Process for the recovery of metal values.
1,866,712	2/ 7/33	F. Linke	Extrusion press for the production of rod or tube-shaped bodies.
1,921,825	8/ 8/33	F. Wiegand	Apparatus for the treatment of raw cement sludge.
1,927,625	9/19/33	F. Wiegand	Classifying apparatus.
1,935,156	11/14/33	A. Born	Process for sintering fine ores or the like.
1,936,861	11/14/33	A. Born	Apparatus for producing cement and similar substances.
1,941,147	12/26/33	H. Joliffe	Distillation apparatus for the production of zinc or similar volatizable metals.
1,951,125	3/20/34	F. Wiegand	Furnace for the production of metal sponge.
1,955,914	4/24/34	K. Holzapfel	Heat treatment of manganese hard steel objects.
1,964,617	7/ 3/34	F. Wiegand	Apparatus for mixing materials.
1,966,627	7/17/34	F. Wiegand	Roller wear.
1,968,946	8/ 7/34	F. Wiegand	
1,968,960	8/ 7/34	H. Besow	
1,973,602	9/17/34	W. Kroeppfle	
1,974,617	9/24/34	E. Schulte	

EXHIBIT D—Continued

Patent No.	Patent date	Inventor	Title
1,981,411	11/20/34	A. Fritz	Annealing and pickling plant.
1,985,171	12/18/34	F. Wiegand	Distillation of metals.
1,985,171	12/18/34	K. Schon	Sluice weir.
1,995,892	3/26/35	G. Linke	Screening apparatus.
1,997,314	4/ 9/35	K. Schon	Emergency sluice.
2,000,490	4/ 9/35	H. Schieferstein et al.	Oscillating sieve.
2,000,140	6/25/35	A. Leyser	Process for the distillation of zinc and similar metals.
2,005,917	7/ 2/35	F. Wiegand	Means for the production of circular or elliptical oscillations.
2,007,121	7/ 2/35	F. Wiegand	Roasting furnace.
2,007,332	7/ 2/35	F. Wiegand	Apparatus for the distillation of zinc and other volatile metals.
2,013,179	9/ 3/35	E. Gersch	Grinding mill.
2,013,486	9/ 3/35	G. Brunkow	Rotary furnace.
2,021,365	11/19/35	A. Leyser	Apparatus for the fractional condensation of metal vapors in a condenser rotating about a horizontal axis.
2,026,656	1/7/36	K. Schon	Sluice weir.
2,026,683	1/7/36	F. Wiegand	Treating ferrous ores.
2,035,833	5/31/36	F. Peilert	Sluice gate.
2,043,409	6/9/36	H. Heilmann	Apparatus for the continuous extraction of material.
2,047,462	7/14/36	F. Wiegand	Process of producing wrought iron.
2,049,818	8/4/36	K. Meister	Jaw crusher.
2,054,984	9/22/36	H. Kohler	Scraper for classifying grades.
2,123,017	7/5/38	K. Meister	Jaw breaker.
2,124,856	8/16/38	F. Wiegand	Disk roller classifying grate for coal.
2,127,259	9/20/38	K. Meister	Treating lumped iron.
2,130,673	9/20/38	K. Meister	Crusher.
2,130,744	9/20/38	W. Reintrock	Rotary drum.
2,136,089	12/6/38	H. Linke	Vibrating screen.
2,136,458	12/6/38	F. Peilert	Sluice gate.
2,150,248	3/14/39	K. Rosenbaum	Rolling mill.
2,208,077	7/16/40	G. Linke	Grinding mill.
2,211,386	8/13/40	K. Rosenbaum	Rolling mill.
2,219,592	10/20/40	H. Kohler	Ring type roller press.
2,222,770	11/26/40	G. Linke et al.	Scrubbing machine.

EXHIBIT E

Patents the titles to which stand of record in the United States Patent Office in the name of Fried. Krupp Germaniawerft, A. G., and the numbers of which are as follows:

Patent No.	Patent date	Inventor	Title
1,567,748	12/20/25	E. Oehler	Device for relatively propping piston engines on ships.
1,567,750	12/20/25	W. P. Rottlich	Piston for high-pressure compressors and the like.
1,584,538	4/20/26	F. Soltan	Drive for ships' propellers by means of internal-combustion engines.
1,584,544	4/20/26	F. Soltan	Method of eliminating dangerous vibration periods in ships' propeller shafts.
1,585,065	5/18/26	E. Herkt	Internal-combustion engine.
1,587,585	6/8/26	A. Hansen	Scavenging internal-combustion engines.
1,611,040	12/14/26	G. Jan et al.	Steam boiler heated by the waste gases of internal-combustion engines.
1,614,839	1/18/27	W. Hopf	Water-tube boiler.
1,621,560	3/22/27	C. Regenbogen	Cooling arrangement for internal-combustion engines.
1,627,549	5/10/27	H. Becker	Cylinder for internal-combustion engines.
1,645,574	10/18/27	H. Becker	Valve gear for power engines.
1,645,575	10/18/27	H. Becker	Cylinder for two-stroke internal-combustion engines with scavenging ports.
1,645,595	10/18/27	E. Herkt	Internal-combustion engine.
1,649,356	11/15/27	M. Louis	Pump.
1,649,440	11/15/27	H. Becker	Internal-combustion engine.
1,656,269	1/17/28	H. Teich	Underwater torpedo tube.
1,664,817	4/10/28	E. Herkt	Water-tube boiler.
1,686,886	5/ 8/28	H. Becker	Scavenging internal-combustion engine.
1,686,886	5/ 8/28	H. Becker	Compressed-air starting device for internal-combustion engines.
1,686,886	5/ 8/28	H. Becker	Horizontal waste-gas steam boiler.
1,684,633	9/18/28	G. Bohm	Thrust bearing with fluid friction.
1,684,633	9/18/28	G. Bohm	Thrust bearing with fluid friction.
1,698,161	1/ 8/29	M. Louis	Diesel engine.
1,703,381	2/26/29	H. Becker	Safety governor for two-stroke engines designed for the propulsion of vehicles.
1,712,963	5/14/29	M. Louis	Two-stroke internal-combustion engine.
1,721,040	7/16/29	H. Rohwer	Diesel engine.

EXHIBIT E—Continued

Patent No.	Patent date	Inventor	Title
1,743,606	1/14/30	W. Hopf	Waste-heat boiler plant for industrial furnaces.
1,750,403	3/11/30	E. Herkt	Device for operating internal-combustion engines with an ignition chamber.
1,752,082	3/25/30	E. Herkt	Internal-combustion engine.
1,760,383	6/23/30	E. Herkt	Bed for vertical internal-combustion engines.
1,773,226	9/30/30	M. Louis	Internal-combustion engine.
1,776,812	10/28/30	W. Heydemann	Fuel atomizer for Diesel engines with air supply.
1,779,996	12/9/30	K. Hausmann	Internal-combustion engine.
1,784,354	6/2/31	K. Hausmann	Drive for motor boats.
1,808,120	6/9/31	K. Hausmann	Pulverized fuel furnace.
1,809,481	8/15/31	H. Dunkelmann	Cam shaft drive for internal combustion engines.
1,819,744	12/15/31	H. Dunkelmann	Internal combustion engine cooling system.
1,836,635	12/15/31	K. Welling	Internal combustion engine.
1,839,676	1/3/32	K. Mohr et al.	Seavenging two-stroke cycle internal combustion engine.
1,840,256	1/3/32	H. Rohrer	Fuel feeding valve.
1,847,610	1/3/32	E. Herkt	Two-stroke internal combustion engine.
1,851,842	3/25/32	E. Herkt	Water tube boiler.
1,853,757	4/12/32	H. Behrens	Elastic shaft coupling.
1,811,876	6/30/33	H. Behrens	Synchronizing prime movers.
1,942,861	1/9/34	A. Huster	Producing high-pressure steam.
1,950,249	3/6/34	F. Johansen	Distillation of readily volatilizable metals.
1,953,605	4/3/34	H. W. Walter	Rotary piston engine.
1,957,849	1/15/35	A. Hanschke	Thrust bearing with fluid friction.
2,061,302	11/24/35	A. Hanschke	Turbine plant.
2,063,094	12/7/35	A. Hanschke	Turbine plant.
2,112,060	3/22/36	A. Hanschke	Internal combustion engine.
2,119,226	6/31/36	F. Ernst	Fuel-injecting pump for internal combustion engines.
2,130,339	9/20/36	H. Dunkelmann	

EXHIBIT F

Patents the titles to which stand of record in the United States Patent Office in the name of Rheinische Metallwaren- und Maschinenfabrik, and the numbers of which are as follows:

Patent No.	Patent date	Inventor	Title
1,599,093	9/7/36	A. Kottmann	Key canceling and locking mechanism.
1,633,246	6/21/37	A. Kottmann	Key mechanism for calculating and adding machines.
1,637,877	8/1/37	A. Kottmann	Coupling device for calculating machines.
1,647,829	11/1/37	A. Kottmann	Total and subtotal mechanism.
1,756,164	12/23/30	A. Kottmann	Drive for the stepped drums of calculating machines.
1,761,675	2/10/31	A. Kottmann	Drive for the stepped drums of calculating machines.
1,846,207	2/23/33	A. Kottmann	Calculating machine.
1,898,985	5/10/33	A. Kottmann	Automatic rounding off mechanism for calculating machines.
1,921,520	8/7/33	A. Kottmann	Calculating machine.
1,932,220	10/24/33	A. Kottmann	Total-printing device.
1,942,106	1/2/34	A. Kottmann	Automatic rounding off mechanism for calculating machines.
1,940,183	3/6/34	A. Kottmann	Apparatus for actuating the counting wheels of calculating machines.
1,952,660	6/12/34	A. Kottmann	Calculating machine with automatic multiplying device.
1,973,457	9/11/34	A. Kottmann	Calculating machine.
1,991,896	2/19/35	A. Kottmann	Calculating machine.
2,034,345	3/17/36	A. Kottmann	Device for the automatic clearing of the registers of computing machines.
2,034,724	3/24/36	A. Kottmann	Calculating machine with automatic multiplying device and with result and totalizing registers.
2,035,322	3/24/36	A. Kottmann	Calculating machine.
2,040,329	7/1/36	A. Kottmann	Automatic operating device for use with calculating machines.
2,054,904	9/22/36	A. Kottmann	Zero-setting mechanism.
2,054,905	9/22/36	A. Kottmann	Combined calculating and typewriting machine.
2,084,445	6/22/37	A. Kottmann	Calculating machine.
2,130,723	9/20/38	A. Kottmann	

[F. R. Doc. 42-10218; Filed, October 12, 1942; 10:49 a. m.]

[Vesting Order 141]

PATENTS OF ENEMY NATIONALS

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title, interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the patents, the numbers of which are listed in Exhibits A, B and C attached hereto and made a part hereof, and the titles to which stand of record in the United States Patent Office in the names of the persons appearing (a) in the cases of the aforesaid Exhibits A and B at the respective tops thereof, and (b) in the case of said Exhibit C opposite the respective numbers listed therein.

is property in which nationals of a foreign country or countries have interests, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in

17 FR. 1971.

EXHIBIT A

Patents the titles to which stand of record in the United States Patent Office in the name of Robert Bosch, A. G., and which are identified as follows:

Patent No.	Patent date	Inventor	Title
1,538,095	10/20/26	F. Kratz et al.	Dynamo-electric machine.
1,538,101	10/20/26	G. Lieb	Automatic circuit-breaking device.
1,574,644	2/23/26	W. Hamble	Magneto-electric ignition machine.
1,574,647	2/23/26	W. Hamble et al.	Dynamo machine.
1,584,162	8/11/26	L. Beech	Impulse starter for ignition apparatus.
1,596,390	8/25/26	H. Steinhilber	Dynamo-electric machine.
1,596,071	6/15/26	W. Hamble	Electric signaling system.
1,602,114	10/7/26	A. Kautzmaier et al.	Signaling instrument of power vehicles.
1,603,073	10/12/26	A. Danner et al.	Electromagnetic sounding device.
1,603,879	8/29/27	M. Schuler et al.	Magneto-electric and the like machine.
1,604,896	8/21/28	O. W. Walter et al.	Ignition coil for combustion motors.
1,683,951	10/23/28	W. W. Walter et al.	Ignition device.
1,694,418	12/4/28	F. Ehrhart	Circuit apparatus.
1,694,719	12/4/28	A. Mohr	Electrical condenser.
1,706,562	1/18/29	A. Schmidt et al.	Continuous-current dynamo-electric machines.
1,726,562	7/9/29	P. Maier et al.	Internal-combustion engine.
1,731,454	7/16/29	K. Kleinert	Searchlight.
1,739,179	12/10/29	R. Ressler	Headlight.
1,740,360	12/17/29	P. L. Orange	Fuel pump for internal-combustion engines.
1,757,393	5/9/30	A. Schmid	Commutator.

the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in Section 10 of said Executive Order.

Executed at Washington, D. C., on September 8, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A—Continued

EXHIBIT A—Continued

Patent No.	Patent date	Inventor	Title
1,765,381	6/24/30	F. Menzel	Combined automatic switch and regulator.
1,771,620	7/29/30	F. Rimmann	Process of forming compound metal bodies.
1,771,630	7/29/30	W. Walther	Magneto.
1,778,168	10/1/30	P. L. Orange	Fuel pump for internal-combustion engines.
1,783,495	12/2/30	H. Burkas	Circuit breaker for ignition installations of internal-combustion engines.
1,783,803	12/2/30	F. Lang	Internal-combustion engine.
1,791,388	2/10/31	W. Dorn	Electrical contact breaker.
1,793,375	2/17/31	M. Schuler	Circuit breaker for ignition devices.
1,795,010	3/3/31	H. Conzmann, et al.	Electric-switch box.
1,798,571	3/31/31	W. Walther	Magneto-electric ignition apparatus.
1,810,288	6/16/31	A. Matthes	Voltage regulation for electric generators.
1,812,517	6/30/31	A. W. Dorn	Battery ignition apparatus.
1,812,520	6/30/31	A. E. Hanger	Ignition coil.
1,818,334	8/11/31	M. Ball et al.	Brake mechanism.
1,820,761	8/25/31	F. A. Karmann, et al.	Electric switch.
1,827,849	10/20/31	A. Karmann	Brake mechanism.
1,828,630	10/20/31	M. Ball	Electrical ignition system for internal-combustion engines.
1,831,649	11/10/31	O. Baur	Injection pump.
1,832,702	11/17/31	E. Sachs	Device for determining the specific gravity of liquids.
1,836,654	12/15/31	W. Dorn et al.	Electrical make and break apparatus.
1,838,998	1/5/32	O. Selling	Resilient gear.
1,840,277	1/5/32	M. Ball et al.	Carburator.
1,845,429	2/16/32	K. Lorenz et al.	Lubricating pump.
1,855,937	4/26/32	A. Rehm et al.	Curling tongs.
1,857,889	5/10/32	A. Cullen	Clutch.
1,861,417	5/31/32	W. Sturm	Carburator.
1,861,634	6/7/32	E. Klaber	Ignition control apparatus for internal-combustion engines.
1,862,459	6/7/32	O. Baur	Valve operated servo brake.
1,863,837	6/21/32	A. Karmann	Injection nozzle for internal-combustion engines.
1,866,747	7/12/32	G. Brodbeck et al.	Automatic ignition control for internal-combustion engines.
1,867,078	7/12/32	A. Karmann	Curling tongs.
1,871,872	8/16/32	O. Baur	Brake mechanism.
1,873,909	8/23/32	H. Steinhart et al.	Oil pump.
1,877,353	9/13/32	F. Menzel	Switch control means for vehicle lamps.
1,877,936	9/20/32	A. Mohrle	Electromagnetic switch.
1,883,806	10/25/32	O. Baur	Starting device for internal-combustion engines.
1,883,885	10/25/32	H. Breitbart et al.	Spring loaded valve.
1,883,932	10/25/32	E. Dorn	Ignition apparatus.
1,883,951	10/25/32	A. Karmann et al.	Magneto-electric ignition apparatus.
1,883,954	10/25/32	E. Klaber	Carburator.
1,883,955	10/25/32	K. Klehner	Battery limitation device.
1,883,980	10/25/32	F. Lang	Signaling device.
1,884,071	10/25/32	F. Menzel	Fuel pump.
1,884,224	10/25/32	M. Ball et al.	Electric storage battery.
1,884,233	10/25/32	A. Rehm et al.	Lubrication of bearings.
1,884,294	10/25/32	K. Schelzer	Electrical heating device for curling tongs.
1,884,341	10/25/32	H. Steinhart	Centrifugal governor.
1,884,349	10/25/32	F. Stockmeyer	Automatic control device.
1,884,359	10/25/32	W. Sturm	Regulator for the gas supply.
1,884,360	10/25/32	W. Sturm	Carburator.
1,884,938	10/25/32	F. Alendorff	Magneto electric ignition apparatus.
1,884,950	10/25/32	F. Alendorff	Magneto ignition apparatus.
1,901,846	3/14/33	E. Klaber	Ignition device for aircraft engines.
1,903,162	3/28/33	O. Baur et al.	Shaft coupling.
1,903,586	4/11/33	H. Arnold et al.	Switch control means for vehicle lamps.
1,903,641	4/11/33	F. Alendorff	Interupter for ignition devices.
1,904,805	4/11/33	O. Selling	Electrical lead-in.
1,905,580	4/25/33	F. Alendorff	Dynamo-electric ignition apparatus.
1,905,998	4/25/33	M. Lorenz	Carburator.
1,908,274	5/9/33	W. Walther	Make and break device for electric ignition apparatus.
1,909,143	5/16/33	H. Arnold et al.	Controlling ring for signaling devices of vehicles.
1,909,151	5/16/33	K. Klehner	Lamp for vehicles.
1,911,147	6/3/33	W. Dorn	Ignition system of internal combustion engines.
1,912,085	6/3/33	R. Linder et al.	Carburator.
1,915,712	6/27/33	F. Alendorff	Centrifugal machine.
1,916,181	6/27/33	E. Klaber	Centrifugal governor.
1,916,182	6/27/33	A. Rehm et al.	Centrifugal governor.
1,916,700	7/4/33	W. Walther	Flywheel magneto ignition apparatus.
1,919,452	7/23/33	L. Holm	Housing of electrical switches or distribution boxes.
1,922,595	8/15/33	R. Mangold	Variable coupling.
1,922,779	8/15/33	M. Ball	Starting ignition device.
1,925,621	9/5/33	F. Alendorff	Snapper coupling for magnetos.
1,925,629	9/5/33	A. Cullen	Early current electric motor.
1,928,476	9/26/33	O. Baur et al.	Centrifugal governor for high speed internal combustion engines.
1,928,520	9/26/33	G. Werner	Shronding cap for sparking plugs.
1,931,188	10/17/33	F. Stockmeyer	Electromagnetic relay.
1,931,462	10/17/33	G. Gaus et al.	Lighter burner.
1,931,784	10/24/33	O. Widmaier	Small electric motor.
1,934,593	11/7/33	E. Dorn et al.	Signaling device.
1,934,699	11/7/33	G. Hegwein	Lubricating pump.
1,935,230	11/14/33	G. Pfromm et al.	Dynamo-electric machine.
1,935,465	11/14/33	F. Alendorff et al.	Interupter for ignition apparatus.
1,940,550	12/19/33	A. Karmann	Brake operating mechanism.
1,941,187	12/26/33	M. Ball et al.	Ignition control apparatus.
1,944,858	1/23/34	O. Baur	Fuel injection pump.
1,947,400	2/13/34	F. Alendorff	Lubricating arrangement for magneto-electric ignition apparatus.
1,948,557	2/27/34	O. Baur	Fuel spraying nozzle.
1,949,030	2/27/34	F. Stockmeyer	Gas burning apparatus.
1,953,739	4/3/34	M. Hurst	Filter for liquids.
1,953,913	4/3/34	W. Walther	Ignition distributor for internal combustion engines.
1,957,395	5/1/34	A. Rehm et al.	Ignition system.
1,957,399	5/1/34	W. Walther	Magneto-electric ignition apparatus.
1,957,891	5/8/34	A. Karmann	Brake mechanism for vehicles.
1,958,070	5/8/34	A. Schmidt et al.	Power transmission clutch.
1,962,705	6/12/34	A. Cullen et al.	Starting device for internal combustion engines.
1,962,728	6/12/34	W. Walther	Magneto.
1,963,024	6/12/34	G. Lieb et al.	Compressor.
1,963,555	6/19/34	F. Kratz	Power driven screw-driver.
1,964,697	6/26/34	W. Walther et al.	Interupter for ignition systems.
1,964,698	6/26/34	W. Walther et al.	Double ignition for internal combustion engines.
1,965,270	7/3/34	G. Werner	Cable fastening.
1,967,101	7/17/34	E. Rassbach et al.	Fuel feed mechanism.
1,970,801	8/21/34	M. Hurst	Fuel injection nozzle for internal combustion engines.
1,973,359	9/11/34	K. Schelzer	Interupter.
1,974,851	9/25/34	F. Menzel et al.	Governor for internal combustion engines.
1,974,852	9/25/34	O. Baur et al.	Combined electromagnetic governor and switch.
1,974,858	9/25/34	G. Werner et al.	Centrifugal governor for internal combustion engines.
1,976,466	10/9/34	W. Walther	Incandescent wire ignition plug.
1,981,638	12/11/34	A. Mohrle	Magneto ignition apparatus.
1,984,313	1/2/35	F. Baumgratz et al.	Spark plug.
1,990,017	2/5/35	F. Kratz et al.	Electrically driven portable tool.
1,990,035	2/5/35	H. Steinhart et al.	Portable electrical tool.
1,992,137	2/19/35	F. Zeininger	Electric motor.
1,993,739	3/12/35	F. Stockmeyer	Fuel injection pump.
1,994,409	4/16/35	A. Karmann et al.	Dynamo electric machine.
1,994,647	6/11/35	K. Klehner	Packing arrangement for electrical machines.
1,994,647	6/11/35	K. Klehner	Electric condenser.
1,994,647	6/11/35	K. Klehner	Film feeding mechanism for cinematograph apparatus.
1,994,647	6/11/35	K. Klehner	Electric switch.
1,994,647	6/11/35	K. Klehner	Electric horn.
1,994,647	6/11/35	K. Klehner	Electric switch.
1,994,647	6/11/35	K. Klehner	Control arrangement.
1,994,647	6/11/35	K. Klehner	Apparatus for spraying liquids such as paints, varnishes, or the like.
1,994,647	6/11/35	K. Klehner	Method for applying cooling liquids such as paints, varnishes, or the like.
1,994,647	6/11/35	K. Klehner	Injection nozzle for self-igniting internal combustion engines.
1,994,647	6/11/35	K. Klehner	Distillation of readily volatilizable metals.
1,994,647	6/11/35	K. Klehner	Electromagnetic horn.
1,994,647	6/11/35	K. Klehner	Dynamo electric machine.
1,994,647	6/11/35	K. Klehner	Starting device for internal combustion engines.
1,994,647	6/11/35	K. Klehner	Method of obtaining advanced and retarded ignition.
1,994,647	6/11/35	K. Klehner	Incandescent electric cut-out.
1,994,647	6/11/35	K. Klehner	Method and means for preparing refractories and refractory masses so produced.
1,994,647	6/11/35	K. Klehner	Electric starter.
1,994,647	6/11/35	K. Klehner	Supply pump for engines.
1,994,647	6/11/35	K. Klehner	Spark plug insulator.
1,994,647	6/11/35	K. Klehner	Dynamo-electric machine frame.
1,994,647	6/11/35	K. Klehner	Electric horn.
1,994,647	6/11/35	K. Klehner	Refrigerator.
1,994,647	6/11/35	K. Klehner	Starting device for internal combustion engines.

EXHIBIT A—Continued

Patents the titles to which stand of record in the United States Patent Office in the name of Kalle & Co. A. G., and which are identified as follows:

Patent No.	Patent date	Inventor	Title
2,032,128	8/23/36	A. Callsen	Starting device for internal combustion engines.
2,036,557	10/6/36	O. Peyerdorfer	Injection pump.
2,063,848	12/8/36	M. Meyer et al.	Injection pump for the conveyance of liquids.
2,064,750	12/8/36	M. Hurst	Method of and means for regulating the fuel feed of internal combustion engines and ceramic constructional parts.
2,065,272	12/22/36	P. Fiehr	Cement for metallic devices.
2,065,389	12/22/36	A. Mohrle	Acoustic warning device.
2,074,266	3/16/37	F. Koch	Electrical switch of the snap spring type.
2,077,362	4/13/37	L. Holm	Switch control device.
2,080,306	5/11/37	E. Dohler et al.	Fuel regulator for engines.
2,080,746	5/18/37	A. Schweizer	Starting apparatus for internal combustion engines.
2,090,342	8/17/37	A. Callsen	Injection pump.
2,090,350	8/17/37	H. Heinrich et al.	Injection pump.
2,090,351	8/17/37	H. Heinrich et al.	Speed-governing apparatus for injection internal combustion engines.
2,091,163	8/24/37	A. Schweizer	Speed-governing apparatus for injection internal combustion engines.
2,093,984	9/21/37	A. Schweizer	Speed-governing apparatus for injection internal combustion engines.
2,097,413	10/26/37	M. Hurst et al.	Multicylinder fuel injection pump.
2,099,524	11/16/37	H. Klein	Starter for internal combustion engines.
2,102,338	12/14/37	A. Schweizer	Governor means for liquid injection internal combustion engines.
2,115,666	4/26/38	W. Dorn	Spark plug.
2,115,671	4/26/38	W. Pfister	Starting apparatus for internal combustion engines.
2,116,353	5/3/38	E. Klatner	Double magneto.
2,116,354	5/3/38	H. Bischoff	Magneto.
2,117,247	5/10/38	E. Holzhauser	Pneumatic governor for internal combustion engines.
2,117,248	5/10/38	M. Hurst et al.	Apparatus for controlling the amount of fuel delivered by an injection pump.
2,119,472	5/31/38	A. Meyer et al.	Injection pump for internal combustion engines.
2,123,133	7/5/38	A. Callsen	Apparatus for switching on the starter of an internal-combustion engine.
2,123,711	7/12/38	A. Callsen	Method of starting internal-combustion engines.
2,127,855	8/23/38	E. Baumgratz et al.	Power-operated tool.
2,128,689	9/6/38	R. Hammer	Starting apparatus for internal-combustion engines.
2,128,917	9/6/38	H. Klein	Starting device for internal-combustion engines.
2,190,630	2/13/40	J. Weber et al.	Output control for internal-combustion engines.

EXHIBIT B

Patents the titles to which stand of record in the United States Patent Office in the name of Kalle & Co. A. G., and which are identified as follows:

Patent No.	Patent date	Inventor	Title
1,590,063	6/29/26	H. Altgelt et al.	Enzymes and process of isolating them from their solutions.
1,628,279	5/10/27	M. Schmidt et al.	Sensitive layer on a suitable base and process of making same.
1,756,400	4/29/30	M. Schmidt et al.	Light-sensitive materials and process of making them.
1,762,033	6/3/30	M. Schmidt et al.	Process of preparing pictures to be produced by tanning action.
1,778,096	10/14/30	J. Voss et al.	Nontransparent and glossy capsule of regenerated cellulose and process of preparing same.
1,822,065	9/8/31	E. Sprongers et al.	Also dyestuff components and process of preparing them.
1,831,312	1/10/31	J. Voss et al.	Shrinkable capsule and processes for making it.
1,844,890	2/10/32	F. Siemers	Apparatus for developing photoprints.
1,857,920	5/10/32	R. Lantz	Light-sensitive papers and other bases and light sensitive layers therefor.
1,861,339	5/31/32	C. Uhlrich et al.	Apparatus for developing light-sensitive material.
1,892,347	12/27/32	W. Neugebauer	Process of preparing proteinases free from peptidases.
1,897,422	2/14/33	A. Dunitz et al.	Capsule made of cellulose esters and process for preparing it.
1,905,240	5/2/33	M. Schmidt et al.	Photographic process.
1,917,646	7/11/33	O. Herrmann	Method of making viscose.
1,929,033	10/3/33	W. Neugebauer	Process for preparing proteinases and carboxy-polypeptidases of the pancreas.
1,932,680	10/31/33	A. Schade	Method and apparatus for feeding sheets.
1,940,265	12/19/33	W. Neugebauer	Agent and process for drenching skins.
1,943,346	1/16/34	W. Schwalbe et al.	Method of preparing regenerated cellulose structures.
1,943,486	1/16/34	U. Oswald	Planographic printing base and process of preparing it.
1,966,412	7/10/34	W. Krieger	Multicolor film and process of preparing it.
2,006,661	7/2/35	J. Voss	Process of treating and regenerated cellulose articles.
2,016,527	5/25/37	W. Voigt	Device for storing and affixing adhesive strips.
2,081,676	5/25/37	W. Neugebauer	Preparation of starch-degrading enzymes.
2,119,163	5/31/38	O. Herrmann et al.	Roll of adhesive strip.
2,238,862	4/15/41	W. Neugebauer	Desizing agent.
2,286,656	6/16/42	O. Sus	Photographic printing material.
2,286,701	6/16/42	G. Werner	Diazotype printing material.

EXHIBIT C—Continued

Patents which are identified as follows and the titles to which stand of record in the United States Patent Office in the names of the persons indicated, respectively:

EXHIBIT C

Patent No.	Date	Record owner	Inventor	Title
Des. 105,838	8/31/37	W. Heraeus G. m. b. H.	H. Bruning et al.	Design for warming ovens or the like.
1,532,345	9/1/25	Deutsche Werke Kiel A. G.	V. Rembold	Frame standard for upright engine cylinders.
1,554,812	9/22/25	Quarzlampen G. m. b. H.	F. Girard	Electric heat radiator.
1,556,859	10/13/25	Motoren-Werke Mannheim A. G. vorm. Benz Abt. Stationärer Motorenbau.	P. L'Orange	Internal combustion engine.
1,566,534	12/22/25	W. Heraeus G. m. b. H.	E. Haagen	Alloys and articles partially composed of same, and process for producing the alloys.
1,568,404	1/5/26	O. Jungmans	O. Jungmans	Clock work-testing machines.
1,574,965	3/2/26	W. Heraeus G. m. b. H.	E. Haagen	Osmium alloy.
1,576,005	3/9/26	I. G. Farbenindustrie A. G.	W. Schrauth	Decomposing fats, oils, and waxes.
1,574,065	3/30/26	Krupp Patent-Platten-Gussform-Vertrieb G. m. b. H.	C. Bitterman	Mold for producing molded stone slabs.
1,580,973	4/13/26	V. Rembold	V. Rembold	Compressor.
1,580,974	4/13/26	Deutsche Werke Kiel A. G.	V. Rembold	Air preheater.
1,582,343	4/27/26	B. Roos & Co.	K. Müller	Method of manufacturing mold powder.
1,586,689	6/1/26	Actien-Gesellschaft "Weser"	H. Müller	Engine governor.
1,591,763	7/6/26	Zeiss Ikon A. G.	J. Hapacher	Film-feeding device.
1,603,339	10/19/26	Electricitäts-Gesellschaft, "Santitas" G. m. b. H.	H. Herrmann	System for unipolar high-frequency treatment.
1,608,932	11/30/26	F. Fischer	F. Fischer	Dyeing and similar machines.
1,622,915	3/29/27	Bergmann-Elektricitäts-Werke A. G.	W. Pape	Steam turbines.
1,630,004	2/21/28	J. Scheibel et al.	J. Scheibel et al.	Process for the preparation of a new type of shellac substitutes.
1,630,119	2/21/28	W. Heraeus G. m. b. H.	E. Haagen	Production of alloys of the platinum group.
1,632,681	3/13/28	Hohenrollern Aktiengesellschaft für Lokomotivbau.	W. Lindner	Friction wheel gear.
1,635,666	4/10/28	O. Jungmans	S. Jungmans	Percussion use.
1,638,115	5/1/28	Deutsche Atlantische Telegraphengesellschaft.	E. Gumlich	Magnetizable material.
1,639,434	5/15/28	Elektrifazets-Gesellschaft, Richter, Dr. Weil & Co. A. G.	G. Werner	Switching device.
1,682,017	8/28/28	The Firm Johann Carl Müller.	H. Müller	Machine for mechanically mixing tobacco leaves.
1,680,456	10/30/28	The Firm Meier & Wetzel.	E. Schuz.	Metallurgical product and process of producing same.
1,693,516	11/27/28	O. Jungmans A. G.	O. Jungmans	Mechanical time fuse.
1,695,410	12/18/28	Lorenz-Zeiss-Zugsicherungs G. m. b. H.	W. Baseler	Train controlling means by light rays.
1,697,662	1/1/29	Siemens-Reiniger-Velfa Gesellschaft für Medizinesche Technik m. b. H.	M. Pohlmann	X-ray system.
1,703,442	4/16/29	W. Lehmann	H. Schulz	Journal bearings.
1,710,857	4/30/29	Maschinenfabrik Augsburg-Nürnberg A. G.	H. Becker	Cylinder for double-acting two-stroke Diesel engines with slotted exhaust opening and divided cylinder liner.
1,716,969	6/11/29	Maschinenfabrik Augsburg-Nürnberg A. G.	H. Becker	Maneuvering device with valve gear.
1,724,666	8/13/29	G. Kogel	G. Kogel	Process of preparing pictures from light-sensitive layers containing organic colloids.
1,732,718	10/22/29	Gesellschaft für Elektrisch Apparate m. g. H.	B. Gluef	Devices for controlling the firing of ordnances or the like when firing at a moving target.
1,740,342	12/17/29	I. G. Farbenindustrie A. G.	C. Hansen	Recovery of sulphurous acid from waste gases.
1,745,464	2/4/30	C. Lorenz A. G. & Siemens & Halske A. G.	F. Wever	Process for the purification of metals.
1,750,198	3/11/30	I. G. Farbenindustrie A. G.	W. Schrauth	Cleaning, wetting, and emulsifying.
1,753,708	4/8/30	E. Lehmann	E. Lehmann	Sensitized element, process of making same, and process for thereon photographic images.
1,761,864	6/3/30	Maschinenfabrik Augsburg-Nürnberg A. G.	H. Becker	Piston-cooling device for internal-combustion engines.
1,767,831	6/24/30	E. Leitz Optische Werke.	M. Berck	Polarimetric apparatus.
1,770,578	7/15/30	Seyfert & Donner	M. Lohs	Flat knotting frame.
1,772,772	8/12/30	I. G. A. Aktiengesellschaft.	O. Fischer	Cinephotographic camera.

Patent No.	Date	Record owner	Inventor	Title
1,773,611	8/19/30	Ruhrechemie	M. Banck	Preparation of acetylene a hydrogen.
1,776,010	9/16/30	K. Schrader	E. Schulze	Manufacturing permanently-stable reaction liquids.
1,777,709	10/7/30	Telephon-Apparat-Fabrik E. Zettusich & Co. G. m. b. H.	F. Appellus	Telephone systems.
1,779,112	10/21/30	Maschinenfabrik Augsburg-Nürnberg A. G.	H. Becker	Double-acting two-stroke combustion engine with slot scavenging.
1,787,430	1/1/31	Telephon-Apparat-Fabrik E. Zettusich & Co.	F. Appellus	Telephone systems.
1,788,996	1/13/31	Gesellschaft für Elektrische Apparate G. m. b. H.	O. Gaetke	Apparatus for evaluating rangeable functions of two independent variables.
1,789,733	1/20/31	W. Heraeus G. m. b. H.	O. Feuzner	Thermo-electric generator.
1,795,120	3/1/31	I. G. Farbenindustrie A. G.	C. Hansen	Process for the simultaneous absorption of ammonia and hydrogen sulfide from industrial gases.
1,795,121	3/1/31	I. G. Farbenindustrie A. G.	C. Hansen	Process for the absorption of hydrogen sulfide and ammonia from gases.
1,797,514	3/24/31	Deutsche Werke Kiel A. G.	O. Richter	Starting device for aeroplanes.
1,812,749	6/30/31	Allgemeine Elektrizitäts-Gesellschaft.	W. Ehlers	Magnetic cores.
1,814,246	7/14/31	Siemens-Schuckertwerke A. G.	F. Dotting	Electric switch.
1,815,876	7/21/31	Siemens-Bauunion G. m. b. H. K. G.	M. Müller	Process of chemically solidifying earth.
1,818,781	8/11/31	Deutsch Hydrierwerke A. G.	S. Bakonyi	Method of carrying out biochemical processes.
1,826,722	8/25/31	Siemens-Bauunion G. m. b. H. K. G.	C. Zemlin	Process of solidifying layers of ground and similar masses.
1,822,989	9/15/31	W. Heraeus G. m. b. H.	O. Feuzner	Instrument control apparatus.
1,823,056	9/15/31	Telephon-Apparat-Fabrik E. Zettusich G. m. b. H.	H. Marburg	Cartridge separating device for pneumatic tube plants.
1,826,779	10/13/31	I. G. Farbenindustrie A. G.	C. Hansen	Process for the absorption of hydrogen sulfide and ammonia from gases.
1,827,298	10/13/31	Tiefbau- und Kalksteinindustrie Akt., Vormals Gebhardt & Koenig & Siemens-Bauunion (Gesellschaft m. b. H. K. G.)	H. Joosten	Process of solidifying permeable rock, loosely spread masses or building structures.
1,829,594	10/27/31	Zoos Aerotopograph G. m. m.	R. Hugeschoff	Devices for continuously recording the path of flight of aircraft.
1,829,950	11/3/31	Maschinenfabrik Augsburg-Nürnberg A. G.	H. Voightlander et al.	Process for the manufacture of difficultly melting heavy metals.
1,826,435	12/15/31	Maschinenfabrik Augsburg-Nürnberg A. G.	H. Becker	Fuel pump for engines having a plurality of injection valves in the cylinder.
1,838,208	12/29/31	Telephon-Apparat-Fabrik E. Zettusich & Co. G. m. b. H.	F. Appellus	Switching or control mechanisms for dispatch systems.
1,840,427	1/2/32	Ernst Leitz Optische Werke	O. Barnack	Device for developing film rolls.
1,843,229	2/2/32	Heinrich Koppers Akt.	C. Hansen	Method of decomposing sulfur-oxygen compounds.
1,843,456	2/2/32	August Thyssen-Hütte A. G.	H. Meyer	Manufacture of steel.
1,846,815	2/23/32	Siemens-Bauunion G. m. b. H. K. G.	W. Siehardt et al.	Foundation seal to building structures and the structure produced thereby.
1,849,445	3/15/32	Ernst Leitz Optische Werke	O. Barnack	Adjusting device for the part of optical instruments.
1,862,206	6/7/32	Telephon-Apparat-Fabrik E. Zettusich & Co.	G. Tauchmann	Ring winding machines.
1,864,060	6/21/32	Schloemann A. G.	P. Müller	Drive mechanism for the rolls of rolling mills.
1,873,126	8/23/32	Zeiss-Aerotopograph G. m. b. H.	R. Hugeschoff	Apparatus for continuously recording the path of flight of aircraft.
1,873,813	8/23/32	Maschinenfabrik Augsburg-Nürnberg A. G.	H. Becker	Pump.
1,874,987	8/30/32	Fried. Krupp A. G. Friedrich-Alfred-Hütte.	F. Hartmann	Iron sleeper.
1,877,962	9/20/32	Deutsche Edelmetallwerke A. G.	F. Polgauer	Steel alloy.
1,885,831	11/1/32	Siemens-Elektro-Osmose G. m. b. H.	K. Illig	Process for the separation of rubber.
1,890,293	12/6/32	Gesellschaft für Elektrische Apparate m. b. H.	H. Hort	Steering gear for water and air vehicles.
1,890,831	12/12/32	Apparate m. b. H.	H. Meyer	Pressure-reducing valve.
1,894,272	1/11/33	Gesellschaft für Elektrische Apparate.	H. Hort	Ship stabilizer.

EXHIBIT C—Continued

Patent No.	Date	Record owner	Inventor	Title
1,902,210	3/21/33	Telefon-Apparate-Fabrik E. Zwietsch & Co.	G. Biniek	Paystation apparatus.
1,905,598	4/11/33	Walter Dux	J. Scheiber	Shellac substitutes.
1,904,546	4/18/33	Deutsche Hydrierwerke A. G.	W. Schrauth	Method of producing stearine.
1,905,554	4/25/33	Zeiss Ikon A. G.	M. Engelmann	Cinematographic apparatus.
1,908,043	5/9/33	Projector G. m. b. H.	K. Morsbach & H. Schulz	Optical projection system.
1,900,215	5/16/33	Guthoff-Nuneshutte A. G.	P. Nashed	Process for the manufacture of formaldehyde from methanol.
1,911,220	5/29/33	Maschinenfabrik Augsburg-Nürnberg A. G.	H. Becker	Internal combustion engine.
1,915,284	6/27/33	Maschinenfabrik Augsburg-Nürnberg A. G.	H. Becker	Cooled piston rod for double acting engines.
1,915,655	6/27/33	Eisemann-Werke A. G.	E. Eisemann	Magneto electric ignition device.
1,915,890	6/27/33	Helmut Jungmans and Guthoff-Nuneshutte A. G.	H. Jungmans	Mechanical time fuses for artillery projectiles.
1,918,430	7/18/33	Guthoff-Nuneshutte A. G.	J. Schlotmann	Means for uniformly cooling hot blast and hot gas valve disks.
1,921,898	8/8/33	I. G. Farbenindustrie A. G.	H. Tonies	Focusing device for photographic cameras.
1,926,666	9/12/33	Voigtlander & Sohn A. G.	A. Naumann	Arrangement for printing photographs.
1,926,567	9/12/33	Voigtlander & Sohn A. G.	A. Naumann	System for visually testing photographic negatives.
1,927,746	9/19/33	Helmut Jungmans and Guthoff-Nuneshutte A. G.	H. Jungmans	Mechanical time fuses.
1,927,884	9/26/33	Voigtlander & Sohn A. G.	A. Barenyl	Photographic camera.
1,930,210	10/10/33	Guthoff-Nuneshutte A. G.	P. Nashed	Process for preparing hexamethylene tetramine from methane.
1,935,327	11/14/33	Projector G. m. b. H.	K. Morsbach & K. Cousin	Motion picture film camera.
1,938,468	12/5/33	Walter Dux	J. Scheiber	Process of preparing shellac-like resins from agatho-copal resins.
1,941,733	1/2/34	Ernst Leitz Optische Werke G. m. b. H.	H. Plies	Holder for microscopes.
1,941,784	1/2/34	Voigtlander & Sohn A. G.	A. Barenyl	Photographic camera.
1,943,031	1/9/34	Jeuser Glaswerk Schott & Gen. A. G.	E. Berer	Optical glass.
1,943,385	1/16/34	Guthoff-Nuneshutte A. G.	W. Hecker et al.	Process for production of oxidation products of acetylene.
1,954,359	4/24/34	Projector G. m. b. H.	K. Morsbach & O. Steiner	Centrifugal governor.
1,988,679	5/15/34	Voigtlander & Sohn A. G.	F. Reiss	Photometer and method of operating same.
1,984,628	6/26/34	I. G. Farbenindustrie A. G.	H. Grimm et al.	Vitreous composition.
1,967,649	7/24/34	Chinoin Gyrozyser is Veszeli Termek Gyara R. T. (Dr. Kereszti and R. Wolf).	E. Wolf	Tasteless basic aluminum acetylene salt and method for producing same.
1,980,222	8/7/34	Helmut Jungmans and Guthoff-Nuneshutte A. G.	H. Jungmans	Fuses for aeroplane defense projectiles.
1,970,084	8/14/34	W. Heraeus G. m. b. H.	O. Feussner	Electrical resistance thermometer.
1,971,215	8/21/34	W. Heraeus G. m. b. H.	O. Feussner	Apparatus for testing by spectrum analysis.
1,972,971	9/11/34	Voigtlander & Sohn A. G.	A. Barenyl	Retarding device for gears.
1,978,535	10/30/34	Anker-Werke A. G.	M. Jacob	Check printing mechanism for cash registers.
1,980,024	2/5/35	H. Jungmans	H. Jungmans	Mechanical time fuse.
1,981,442	2/19/35	Voigtlander & Sohn A. G.	A. Barenyl	Photographic roll-film.
1,992,696	2/26/35	Franz Braun A. G.	H. Gastrow	Electric drive for the casting machines for plastic masses.
1,996,608	4/2/35	Wilhelm Beck	K. Beck	Spot separator.
2,000,535	5/7/35	Maschinenfabrik Augsburg-Nürnberg A. G.	H. Becker	Photographic camera.
2,002,800	5/28/35	Deutsche Hydrierwerke A. G.	W. Schrauth	Drive for fuel pumps for combustion power engines.
2,003,930	6/4/35	Siemens Apparate und Maschinen G. m. b. H.	E. Fischel	Plastic power engine.
2,008,536	7/19/35	Chinoin Gyrozyser is Veszeli Termek Gyara R. (Dr. Kereszti and R. Wolf).	E. Wolf	Automatic rudder control device.
2,010,257	8/4/35	Vereinigte Lausitzer Glaswerke A. G.	A. Fehse	Process for the production of hydrogennal benzo-So-tetraoles.
2,011,062	8/18/35	Ernst Leitz Optische Werke G. m. b. H.	E. Leitz Jr.	Process for producing the fitting surfaces involved in the case of glass bottle necks fitted with glass stoppers.
2,011,452	8/13/35	Voigtlander & Sohn A. G.	A. Barenyl	Concentrically adjustable objective diaphragm.
2,018,600	9/4/35	Kohle und Eisenforschung G. m. b. H.	K. Carus	Photographic film camera. Articles which must have a reduced tendency to rust.

EXHIBIT C—Continued

Patent No.	Date	Record owner	Inventor	Title
2,014,965	9/17/35	Siemens-Apparate und Maschinen G. m. b. H.	E. Fischel	Regulating device.
2,016,857	10/8/35	Siemens Apparate und Maschinen G. m. b. H.	E. Fischel	Self-steering arrangement.
2,020,337	11/12/35	Chinoin Gyrozyser is Veszeli Termek.	Z. Foldi	Methods for producing cyclical disubstituted tetraoles.
2,024,822	12/17/35	Siemens Apparate und Maschinen G. m. b. H.	H. Hort	Stabilization of ships by means of liquid filled tanks.
2,025,413	12/24/35	Junkers & Co. G. m. b. H.	G. Hegwein et al.	Controlling device for gas burners.
2,025,616	12/24/35	Heraeus-Vacuumschmelze A. G.	W. Rohm	Process for producing beryllium alloys.
2,028,084	12/31/35	E. Elster	E. Elster	Automatic snap fastener for skins.
2,027,351	1/7/36	Deutsche Hydrierwerke A. G.	W. Schrauth	Procedure for the manufacture of condensation products.
2,029,776	2/4/36	Anker-Werke A. G.	M. Jacob	Cash register.
2,030,802	2/11/36	Deutsche Hydrierwerke A. G.	W. Schrauth	Method of catalytic oxidation of turpentine oils.
2,030,921	2/18/36	Heraeus-Vacuumschmelze A. G.	W. Hassenbruch	Copper beryllium alloys.
2,037,223	4/14/36	Wilhelm Dreusicke & Co. G. m. b. H.	O. Fischer	Tongs for removing and putting in place the keys of typewriting machines and the like.
2,037,360	4/14/36	Voigtlander & Sohn A. G.	A. Barenyl	Shutter for photographic cameras.
2,037,384	4/14/36	Junkers & Co. G. m. b. H.	G. Hegwein	Safety control apparatus for gas burners.
2,038,000	4/28/36	Kurt Lange	H. Hesse	Hemadynamometers operating according to the compensation method.
2,040,604	5/12/36	Heraeus-Vacuumschmelze A. G.	H. Gruber et al.	Method of manufacturing low carbon iron and steel alloys.
2,040,683	5/12/36	Telefon-Apparate-Fabrik E. Zwietsch & Co. G. m. b. H.	G. Biniek	Electric safety razor.
2,040,972	5/19/36	Maschinenfabrik Augsburg-Nürnberg A. G.	H. Becker	Piston.
2,041,333	5/19/36	Heraeus-Vacuumschmelze A. G.	H. Gruber et al.	Apparatus for producing carbon-free metals, alloys and the like.
2,042,293	5/26/36	Telefon-Apparate-Fabrik E. Zwietsch & Co.	G. Biniek	Safety razor with rotary drive.
2,044,257	6/10/36	Siemens-Reiniger Werke A. G.	J. Patzold	Apparatus for electromedical treatment.
2,045,415	6/23/36	W. Schrauth	W. Schrauth	Salves, creams, soaps, and the like.
2,045,709	6/30/36	H. Gefken & H. Richter	H. Gefken et al.	Electrical control circuit.
2,046,552	7/7/36	Deutsche Hydrierwerke A. G.	W. Schrauth	Cellobiose derivative.
2,047,662	7/14/36	Voigtlander & Sohn A. G.	A. Barenyl	Photographic shutter.
2,048,647	7/21/36	W. Heraeus G. m. b. H.	O. Feussner et al.	Process of producing hard alloys.
2,048,648	7/21/36	W. Heraeus G. m. b. H.	O. Feussner et al.	Alloy and process of making same.
2,050,874	8/11/36	Voigtlander & Sohn A. G.	A. Barenyl	Roll film camera.
2,051,837	8/25/36	Siemens Apparate und Maschinen G. m. b. H.	E. Fischel	Automatic control arrangement for aircraft.
2,053,237	9/22/36	Ernst Leitz Optische Werke G. m. b. H.	E. Leitz Jr.	Projection and reproduction system.
2,057,945	10/20/36	Franz Braun A. G.	H. Gastrow	Heatable mass cylinder of die casting machines for plastic masses.
2,060,081	11/10/36	W. Heraeus G. m. b. H.	A. Jedele	Point for gold pens and method of producing the same.
2,062,130	11/24/36	Heraeus-Vacuumschmelze A. G.	W. Hassenbruch	Heat treatable nickel-beryllium alloys.
2,064,472	12/15/36	Elektricitäts-Gesellschaft "Sanitas" A. G.	H. Hermann	Apparatus for making photographic exposures.
2,066,150	12/29/36	Gesellschaft für Elektrische Apparate m. b. H.	H. Hort	Ship stabilizer.
2,066,542	1/5/37	Alpina m. b. H.	W. Schrauth	Heteropolar compounds and method of producing the same.
2,067,669	1/12/37	Heraeus-Vacuumschmelze A. G.	W. Hassenbruch	Heat resisting implements.
2,069,987	2/9/37	Guthoff-Nuneshutte A. G.	A. Winckler	Fastening means.
2,071,835	2/23/37	Guthoff-Nuneshutte A. G.	L. Hermanns	Process and apparatus for treating residue, waste, and the like.
2,072,898	3/2/37	W. Heraeus G. m. b. H.	A. Jedele	Tungsten base alloy for points of gold nibs.
2,072,976	3/2/37	W. Heraeus G. m. b. H.	A. Jedele	Tungsten-base alloy.
2,073,174	3/23/37	W. Heraeus G. m. b. H.	A. Jedele	Tungsten-base alloy for points of gold nibs.
2,074,455	3/23/37	Firma Johannes Richter A. G.	W. Lindner	Sewing machine for the manufacture of gloves.
2,075,718	3/30/37	Heraeus-Vacuumschmelze A. G.	W. Hassenbruch	Heat-resisting implement.
2,078,479	4/27/37	Ernst Leitz G. m. b. H.	C. Lutz	Film spool and developing tank.
2,079,936	5/11/37	Firma Franz Braun Akt.-Ges.	H. Gastrow	Die casting machine.

EXHIBIT C—Continued

Patent No.	Date	Record owner	Inventor	Title
2,081,543	5/26/37	Maschinenfabrik Augsburg-Nürnberg A. G.	H. Kohler	Engine frame.
2,081,727	5/26/37	Voigtlander & Sohn A. G.	A. Barenly	Retarding mechanism for photographic shutters.
2,082,561	6/1/37	Telephon-Apparat-Fabrik E. Zwietusch & Co.	F. Appellus	Paystation telephone systems.
2,090,044	8/17/37	Heraeus-Vacuumschmelze A. G.	W. Hessenbruch	Alloys.
2,091,162	8/24/37	Deutscher Hydrierwerke A. G.	W. Schrauth	Fixing agents for perfumes and other volatile compounds.
2,093,282	9/14/37	Ernst Leitz G. m. b. H.	L. Leitz et al.	Focusing means for camera objectives.
2,093,592	9/21/37	Humboldt-Deutzmotoren A. G.	H. Triebnigg	Internal-combustion engine.
2,094,163	9/28/37	Auto Union A. G.	H. Weber	Gear controlling means for motor cycles.
2,094,621	10/5/37	W. Heraeus G. m. b. H.	A. Jedele et al.	Tubular fountain pen point.
2,096,325	10/19/37	Ernst Leitz G. m. b. H.	H. Heine	Microscope.
2,100,301	11/30/37	I. G. Farbenindustrie A. G.	H. Grimm et al.	Vitreous compositions or glasses.
2,100,800	11/30/37	I. G. Farbenindustrie A. G.	H. Fikentscher et al.	Production of interpolymerization products.
2,102,160	12/14/37	Guthofnungshutte Oberhausen A. G.	P. Nasban	Process for the production of formaldehyde from methane.
2,103,672	12/28/37	W. Heraeus G. m. b. H.	W. Heraeus	Metal gauge.
2,104,835	1/11/38	Heraeus-Vacuumschmelze A. G.	W. Hessenbruch	Heat-resisting implement.
2,104,836	1/11/38	Heraeus-Vacuumschmelze A. G.	W. Hessenbruch	Heat-resisting implement.
2,105,629	1/18/38	Ernst Leitz G. m. b. H.	H. Becker	Moving picture camera cassette.
2,105,671	1/18/38	Ernst Leitz G. m. b. H.	S. Rott	Microscopic camera.
2,106,325	2/15/38	Voigtlander & Sohn A. G.	K. Pfeiffer et al.	Textile method of finishing.
2,108,520	2/15/38	Bohme Feinchemie-Gesellschaft	B. Wolf et al.	Automatic speed stabilizing devices for aircraft.
2,110,422	3/8/38	Siemens Apparate und Maschinen G. m. b. H.	E. Fischel	Exposure meter.
2,112,701	3/20/38	Ernst Leitz G. m. b. H.	L. Leitz	Drying boxes and incubators.
2,112,731	3/20/38	W. Heraeus G. m. b. H.	H. Bruning et al.	Method of rolling and treating silicon steel.
2,113,337	4/5/38	Heraeus-Vacuumschmelze A. G.	H. Hiemenz	Secondary X-ray diaphragm and method of manufacturing the same.
2,115,637	5/10/38	Siemens-Reiniger-Werke A. G.	C. Niemann	Medicinal preparation of diuretic effect and process for its preparation.
2,116,872	5/10/38	Chinoin Gyogyszer is Vegyeszeti Termekok Gyara R. T. (Dr. Kereszty & Dr. Wolf).	E. Wolf	Method of enhancing the colorability of cellulose fiber.
2,120,267	6/14/38	I. G. Farbenindustrie A. G.	E. Selrm	Production of polymerization products.
2,123,330	7/12/38	W. Heraeus G. m. b. H.	O. Feussner	Photographic shutter.
2,123,999	7/12/38	I. G. Farbenindustrie Akt.	H. Fikentscher et al.	Voltage measuring system.
2,130,784	9/20/38	Voigtlander & Sohn A. G.	A. Barenly	Process for purifying crude hydrocarbons, more particularly crude benzole, crude benzine, and crack benzene.
2,133,670	10/18/38	Siemens Apparate und Maschinen G. m. b. H.	H. Schuchmann	Allicon control for airplanes.
2,134,241	10/25/38	Guthofnungshutte Oberhausen A. G.	K. Susselbeck	Magnetos.
2,137,974	11/22/38	Siemens Apparate und Maschinen G. m. b. H.	E. Fischel	Method of manufacturing silicon iron alloys.
2,142,094	1/3/39	Robert Bosch G. m. b. H.	W. Dorn	Filters for separating high frequencies from low frequencies.
2,144,200	1/17/39	Heraeus-Vacuumschmelze A. G.	A. W. Rohn et al.	Hinge for curved vehicle doors.
2,144,950	1/24/39	C. Lorenz A. G.	A. Wiessner	Telephone call fee indicator.
2,144,977	1/24/39	B. Jacob	M. Jacob	Nonderable lamp.
2,147,233	2/14/39	Telefon-Apparat-Fabrik E. Zwietusch & Co.	G. Binick	Method for production of beryllium alloys.
2,148,574	2/28/39	Julius Pintsch K. G.	P. Muller	Noiseless return for typewriter carriages.
2,149,257	3/7/39	Heraeus-Vacuumschmelze A. G.	H. Gruber	Control apparatus for vehicles.
2,154,418	5/2/39	Triumph-Werke Nurnberg A. G.	F. Wunderlich	Method for operating cupola furnaces.
2,156,976	5/2/39	Siemens-Apparate und Maschinen G. m. b. H.	E. Fischel	
2,158,510	5/16/39	Deutsche Eisenwerke A. G.	K. Lauer	

EXHIBIT C—Continued

Patent No.	Date	Record owner	Inventor	Title
2,158,511	5/16/39	Deutsche Eisenwerke A. G.	K. Lauer	Method for the production of cast iron in cupola furnaces.
2,161,510	6/6/39	Siemens Apparate und Maschinen G. m. b. H.	E. Fischel	Apparatus for measuring the liquid contents of a container or vessel.
2,163,181	6/20/39	I. G. Farbenindustrie A. G.	H. Ulrich et al.	Process of producing halogen-alkyl amines or their salts.
2,164,977	7/4/39	C. Lorenz A. G.	A. Wiessner	Loudspeaker arrangements.
2,167,132	7/25/39	Chinoin Gyogyszer is Vegyeszeti Termekok Gyara R. T. (Dr. Kereszty & Dr. Wolf).	R. Weiss	Process for the preparation of derivatives of estradiol.
2,167,412	7/25/39	Siemens Apparate und Maschinen G. m. b. H.	M. Basencke	Method and means for measuring the altitude of aircraft.
2,170,819	8/20/39	Allgemeine Electricitats Gesellschaft.	W. Heilmann	Cathode ray tube recording device.
2,173,312	9/19/39	Heraeus-Vacuumschmelze A. G.	W. Rohn et al.	Silicon-iron alloys.
2,173,996	9/26/39	Ernst Leitz G. m. b. H.	H. Becker	Film-guiding mechanism.
2,174,319	9/26/39	Franz Braun A. G.	H. Gastrow	Molding of thermoplastic materials.
2,180,367	11/21/39	Naftolen-Gesellschaft zur Verwertung der Rostler-Methode Verfahren m. b. H.	F. Rostler et al.	Method of producing mixtures for use in the manufacturing of rubber goods and in allied branches of industry.
2,181,111	11/21/39	Ernst Leitz G. m. b. H.	J. Horn	Method for the production of metallic printing plates or cylinders.
2,184,401	12/26/39	Chinoin Gyogyszer is Vegyeszeti Termekok Gyara R. T. (Dr. Kereszty & Dr. Wolf).	Z. Foldi	Process for the production of polyoxy-tadene derivatives by means of aliphatic groups.
2,184,826	12/26/39	C. Lorenz A. G.	A. Wiessner	Signal transmission system.
2,186,197	1/9/40	Maschinenfabrik Einsiedel	H. Hoepfner	Knitting machines.
2,186,443	1/9/40	Ernst Leitz G. m. b. H.	H. Becker et al.	Motion picture camera.
2,188,628	1/30/40	Siemens Apparate und Maschinen G. m. b. H.	E. Freystedt	Measuring instruments.
2,191,250	2/20/40	Siemens Apparate und Maschinen G. m. b. H.	E. Fischel	System for the automatic control of airplanes.
2,191,261	2/20/40	Ernst Leitz G. m. b. H.	L. Leitz et al.	Combined photographic camera and view finder.
2,194,784	3/26/40	Jenauer Glaswerk Schott & Gen.	E. Berger	Heat-absorbing glass.
2,203,316	6/14/40	C. Lorenz A. G.	A. Wiessner	High frequency systems.
2,204,188	6/11/40	C. Lorenz A. G.	A. Wiessner	Arrange for carrier frequency modulation.
2,205,052	6/18/40	Ernst Leitz G. m. b. H.	W. Stehl	Device for loading film cassettes.
2,205,915	7/23/40	Chinoin Gyogyszer is Vegyeszeti Termekok Gyara R. B. (Dr. Kereszty & Dr. Wolf).	R. Weiss	Process for preparing reductive products of etherified estrone.
2,205,917	7/23/40	C. Lorenz A. G.	A. Wiessner	High-frequency systems.
2,208,918	7/23/40	C. Lorenz A. G.	A. Wiessner	Communication systems.
2,214,916	9/17/40	C. Lorenz A. G.	A. Wiessner	Radio transmission arrangements.
2,227,207	12/31/40	C. Lorenz A. G.	A. Wiessner	High-frequency systems.
2,227,884	12/31/40	C. Lorenz A. G.	A. Wiessner	Electric frequency separator.
2,227,785	1/7/41	Rheinmetall-Borsig et al.	A. Kottmann	Calculating machine having means for performing division.
2,230,629	2/4/41	Oswald Wysz	A. Schmid	Manufacture of semipropionic compounds.
2,238,268	4/15/41	C. Lorenz A. G.	W. Kautter	Reflecting antennae for radio beacons.
2,247,104	6/24/41	Voigtlander & Sohn A. G.	P. Takacs	Photographic roll film camera.
2,251,593	5/5/42	G. von Poser et al.	G. von Poser et al.	Light sensitive material.
2,254,193	5/26/42	Union-Film A. G.	G. Kohn	Film inspecting machine.
2,258,533	6/30/42	Fridolin Glass	L. Kreidl	Process for the production of artificial resins.
2,259,407	7/14/42	Telefon-Apparate-Fabrik E. Zwietusch & Co. G. m. b. H.	M. Langer	Telephone pay station.
2,260,592	7/14/42	Fides Gesellschaft fur die Verwaltung von Gewerblichen Schutzrechten m. b. H.	F. Wolf	Telephone system.
2,291,567	7/28/42	Junkers & Co. G. m. b. H.	G. Wunsch et al.	Thermoelectric control and safety shut-off device.

[F. R. Doc. 42-10219; Filed, October 12, 1942; 10:49 a. m.]

[Vesting Order 151]

PATENTS OF ENEMY NATIONALS

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended,¹ and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the patents, the numbers of which are listed in Exhibits A, B and C, attached hereto and made a part hereof, and the titles to which stand of record in the United States Patent Office in the names of the persons appearing at the respective tops of such Exhibits,

is property in which nationals of a foreign country or countries have interests, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on September 17, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

Patents the titles to which stand of record in the United States Patent Office in the name of Askania-Werke A. G. Vormalis Centralwerkstatt-Dessau und Carl Bamberg-Friedenau, and which are identified as follows:

Patent No.	Patent date	Inventor	Title
1,550,410	8/18/25	E. Wunsch	Apparatus for controlling processes of combustion.
1,558,529	10/27/25	G. Wunsch	Gas-mixture regulator.
1,558,530	10/27/25	G. Wunsch	Device for increasing small pressure differences.
1,583,040	5/ 4/26	G. Wunsch	Dry gas meter.
1,585,210	5/18/26	M. Roux	Navigation apparatus.
1,591,118	7/ 6/26	H. Friess	Positive film band strip and method of manufacturing it.
1,620,707	3/15/27	G. Wunsch	Device for regulating gas pressure.
1,632,770	6/14/27	E. Von Schubert	Device for taking photographs.
1,639,394	8/16/27	E. Wunsch	Retort and gas-flow regulating apparatus.
1,656,542	1/17/28	J. Stoecker et al.	Burner for air heaters.
1,708,087	4/ 9/29	H. Friess	Cinematographic exposing apparatus.
1,712,128	5/ 7/29	E. Wunsch	Apparatus for regulating the gas mixture in gas-fired furnace installations.
1,721,800	7/23/29	G. Wunsch	Apparatus for regulating combustion.
1,726,463	8/27/29	E. Wunsch	Apparatus for measuring the quantity of steam, gas, air, water, or like medium flowing through a pipe.
1,729,850	10/1/29	G. Wunsch	Steering indicator for aircraft.
1,737,487	11/26/29	E. Wunsch	Lateral-reading compass.
1,737,660	12/3/29	E. Kogbetliantz	Three-weighted torsion balance.
1,747,651	2/18/30	W. Schweydar	Torsion balance for measuring the gravitation.
1,752,135	3/25/30	G. Wunsch	Apparatus for the regulation of driving engines for electric-current generators.
1,757,051	5/6/30	C. Klopfer	Apparatus for the regulation of combustion in furnaces.
1,768,726	7/1/30	E. Wunsch	Gas-flow-regulating apparatus.
1,776,240	9/16/30	G. Wunsch	Thermostats.
1,778,303	10/14/30	E. Wunsch	Compass.
1,782,860	11/25/30	E. Relpert	Apparatus for making exposures of the path or route of flying machines or the like.
1,822,184	9/8/31	E. Wunsch	Device for the conversion of mechanical measuring values into corresponding electrical measuring values.
1,844,905	2/9/32	W. Schweydar	Planimeter for computing forces.
1,920,827	8/1/33	G. Wunsch	Method of and apparatus for regulating or governing physical conditions.
1,938,492	12/ 5/33	W. Moller	Fluid pressure governing device for measuring systems.
1,944,339	1/23/34	G. Wunsch	Proportional gas meter.
1,967,155	7/17/34	W. Moller	Aircraft control system.
1,967,156	7/17/34	W. Moller	Apparatus for the automatic control more particularly of aircraft.
1,967,214	7/24/34	H. Acht	Photographic lens system.
1,967,215	7/24/34	H. Acht	Photographic lens system.
1,972,054	8/26/34	W. Moller	Fluid meter.
1,976,636	10/ 9/34	E. Roux	Magnetic balance for the measurement of intensities.
1,980,926	11/13/34	W. Moller et al.	Remote revolution indicating and recording apparatus.
1,986,761	1/ 1/35	W. Moller	Controlling apparatus for aircraft.
2,007,515	7/ 9/35	G. Wunsch et al.	Method of and apparatus for automatic aircraft-control.
2,011,453	8/13/35	W. Moller	Compressed fluid operated apparatus.
2,025,629	12/24/35	G. Wunsch	Method of and apparatus for controlling marine boilers.
2,042,374	5/26/36	G. Wunsch et al.	Apparatus for regulating and/or measuring the flow of fluids.
2,052,375	8/26/36	G. Wunsch et al.	Combustion regulator.
2,062,922	12/ 1/36	G. Wunsch	Paper machine control.
2,068,458	1/19/37	W. Moller	Bearing.
2,074,882	3/23/37	G. Wunsch	Proportioning control apparatus and method of controlling the operation thereof.
2,074,883	3/23/37	H. Ziebolz et al.	Method of and apparatus for controlling the flow of fluids.
2,077,849	4/20/37	W. Moller et al.	Compass follow-up.
2,089,106	8/ 3/37	F. Beck	Moving picture camera.
2,089,164	8/ 3/37	H. Imhof	Suspension for Eotvos balance.
2,089,745	8/10/37	A. Graf	Gravity instrument.
2,090,564	8/10/37	A. Zimmermann	Suspension for compasses and other instruments.
2,095,404	10/12/37	C. Wurt	Servomotor.
2,098,917	11/ 9/37	W. Gunther	Optical instrument.
2,100,706	11/30/37	G. Wunsch	Altitude measuring apparatus.
2,100,978	11/30/37	P. Rheinlander	Apparatus for measuring and delivering gas quantities reduced to a normal condition.
2,104,627	1/ 4/38	G. von Manteuffel	Steering device.
2,105,146	1/11/38	H. Haack	Gravitation measuring instrument.
2,107,971	2/ 8/38	G. Wunsch et al.	Jet pipe relay.
2,107,976	2/ 8/38	K. Blasig	Measuring and indicating apparatus.
2,111,466	3/15/38	G. Wunsch	Fluid operated relay mechanism.
2,126,855	8/16/38	G. Wunsch et al.	Direction maintaining means for use on dirigible craft.
2,126,935	8/16/38	G. von Manteuffel	Direction maintaining means for use on dirigible craft.
2,129,613	9/6/38	G. Wunsch et al.	Apparatus for controlling the fuel feed in internal combustion engines.
2,161,732	6/6/39	G. von Manteuffel	Clutch.
2,175,165	10/3/39	W. Heinrich	Remote control device.
2,206,618	7/2/40	P. Rheinlander	Apparatus for measuring and delivering gas quantities reduced to a normal condition.
2,227,371	12/31/40	G. von Manteuffel	Gyroscopic apparatus.
2,230,217	1/28/41	G. Rathke	Magnetic compass for current meters.
2,242,806	5/20/41	G. Wunsch	Gyroscopic.
2,248,141	7/8/41	G. von Manteuffel	Directional gyroscope.
2,293,311	8/18/42	H. Schuchardt	Electrically driven gyroscope.

¹ 7 F.R. 1971.

EXHIBIT B

Patents the titles to which stand of record in the United States Patent Office in the name of Askania-Werke A. G., and which are identified as follows:

Patent No.	Patent date	Inventor	Title
1,763,994	6/17/30	H. Thoma	Frictionless sliding valve for self-acting regulators or governors.
1,900,516	3/7/33	W. Moller	Steering apparatus for aircraft.
1,905,401	4/25/33	W. Moller	Measuring apparatus.
1,929,230	10/3/33	G. Wunsch	Art of regulating combustion in furnaces or the like.
1,959,890	5/22/34	G. Wunsch	Means for liquid level control.
1,963,010	6/12/34	G. Wunsch	Art of mixing gas and air for high-power burners.
1,978,502	10/30/34	W. Moller	Means for producing movement at a distance by fluid pressure.
1,982,564	11/27/34	G. Wunsch	Apparatus for regulating the operation of conveyers.
2,010,245	8/6/35	E. Roux	Magnetic balance.
2,038,465	4/21/36	G. Wunsch	Temperature measuring and/or recording apparatus.
2,075,625	3/30/37	E. Roux et al.	Torsion balance.
2,134,745	11/1/38	H. Ziebolz et al.	Method of and apparatus for proportioning the flow of fluids.
2,169,174	8/8/39	H. Ziebolz et al.	Method of and apparatus for controlling the flow of fluids.
2,169,175	8/8/39	H. Ziebolz et al.	Method of and apparatus for controlling the flow of fluids.

EXHIBIT C

Patents the titles to which stand of record in the United States Patent Office in the name of Felten & Guillaume Carlswerk A. G., and which are identified as follows:

Patent No.	Patent date	Inventor	Title
1,640,744	8/30/27	G. Zapf	Means for protecting cables from kinking at the point where they emerge from junction boxes or casings.
1,753,079	4/1/30	G. Zapf	Submarine cable with pressure-protecting covering.
1,798,298	3/31/31	G. Zapf	Pressure-protecting covering for submarine cables.
1,898,444	6/2/31	G. Zapf	Manufacture of wire cables.
1,838,006	12/29/31	G. Zapf	Press for metal tubes or sheathings.
1,888,753	11/22/32	G. Zapf	Method and means for anchoring the cable ends of suspension bridges.
1,893,119	1/3/33	G. Zapf	Cable for comparatively deep seas.
1,893,120	1/3/33	G. Zapf	Electric hollow conductor.
1,894,389	1/17/33	G. Zapf	Method of finishing the ends and fixing ropes.
1,906,782	5/2/33	G. Zapf	Method for reducing the extension in wire ropes.
1,920,731	8/1/33	G. Zapf	Dredger.
1,936,282	11/21/33	G. Zapf	Method of measuring the elongation of hollow cables.
1,941,964	1/2/34	G. Zapf	Carrying rope.
1,942,321	1/2/34	G. Zapf	Submarine cable.
1,951,687	3/20/34	G. Zapf	Method of stretching wire ropes.
1,978,976	10/30/34	G. Zapf	Manufacture of lead tubes and cable sheaths.
1,981,535	11/20/34	G. Zapf	Oil-filled high voltage cable.
1,981,536	11/20/34	G. Zapf	High tension electric cable.
1,981,890	11/27/34	G. Zapf	Electric cable.
2,003,673	6/4/35	G. Zapf	Machine for manufacturing moisture-proof cable coverings.
2,011,389	8/13/35	G. Zapf	Oil-filled cable installation.
2,081,691	5/25/37	G. Zapf	Cable manufacture.

[F. R. Doc. 42-10220; Filed, October 12, 1942; 10:49 a. m.]

[Vesting Order 152]

PATENTS OF ENEMY NATIONALS

Under the authority of the Trading with the enemy Act, as amended, and

Executive Order No. 9095, as amended,¹ and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

¹ 7 F.R. 1971.

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the patents, the numbers of which are listed in Exhibits A and B, attached hereto and made a part hereof, and the titles to which stand of record in the United States Patent Office in the names of the persons appearing at the respective tops of such Exhibits,

is property in which nationals of a foreign country or countries have interests, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in Section 10 of said Executive Order.

Executed at Washington, D. C., on September 17, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A—Continued

Patent No.	Patent date	Inventor	Title
1,901,133	3/14/33	J. Stich	Automatic telephone system.
1,901,179	3/14/33	M. Mathias	Automatic telephone system.
1,902,613	3/21/33	G. Blumberg	Fuse.
1,907,660	5/9/33	A. Pfeiffer	Telephone substation circuit.
1,908,365	5/9/33	A. Keyser	Telephone system.
1,914,391	6/20/33	R. Wolf	Telephone system.
1,917,403	7/11/33	J. Stich	Repeater
1,920,214	8/1/33	A. Preuss	Telephone system.
1,922,196	8/15/33	A. Flad	Telephone system.
1,923,352	8/22/33	A. Wessner	Telephone system.
1,925,261	9/5/33	M. Langer et al.	Telephone system.
1,927,512	9/15/33	K. Baloun	Electrical switching device.
1,928,587	9/19/33	L. Lindner	Banding for ring-shaped coils.
1,928,587	10/10/33	H. Hopf	Telephone system.
1,928,592	10/10/33	M. Langer	Telephone system.
1,930,522	10/17/33	A. Keyser et al.	Multioffice automatic telephone system.
1,935,954	11/21/33	W. Pinell	Telephone system.
1,938,433	12/5/33	O. Weeber et al.	Hand telephone.
1,941,237	12/26/33	F. Lill	Telephone system.
1,941,254	12/26/33	O. Weeber et al.	Automatic telephone system.
1,944,684	1/23/34	E. Ehrlich	Telephone set.
1,944,701	1/23/34	O. Weeber et al.	Telephone system.
1,946,678	2/13/34	A. Flad	Current generating system.
1,951,159	3/13/34	F. Lubberger	Telephone system.
1,952,403	3/27/34	E. Wochinger et al.	Electromagnetic switching device.
1,957,659	5/8/34	O. Muller	Telephone system.
1,960,832	5/29/34	F. Lubberger	Electrical drive.
1,963,086	7/24/34	O. Richter	Signaling apparatus.
1,967,404	7/31/34	M. Langer	Automatic telephone system.
1,968,164	8/13/34	M. Mathias	Telephone system.
1,971,103	9/18/34	F. Pfeiffer	Telephone system.
1,971,257	9/18/34	F. Brandt	Fuse cartridge.
1,973,700	10/30/34	F. Doring et al.	Electrically operated driving device.
1,983,184	1/29/35	J. Boysen	Telephone system.
1,986,992	4/9/35	E. Feist	Telephone system.
1,997,020	4/9/35	R. Neefert et al.	Electrical coil.
2,010,365	10/29/35	O. Soldan	Telephone system.
2,016,163	3/31/36	R. Neefert et al.	Automatic step-by-step switch.
2,040,702	5/12/36	H. Tatzl	Telephone system.
2,053,779	9/8/36	M. Mathias	Counting mechanism.
2,056,738	10/6/36	R. Pfannschmidt	Telephone system.
2,057,800	10/20/36	W. Pinell	Telephone system.
2,057,898	10/20/36	E. Wochinger	Telephone system.
2,057,898	10/20/36	E. Feist	Telephone system.
2,061,802	11/24/36	R. Kruse et al.	Telephone signaling system.
2,068,726	1/26/37	W. Kroll et al.	Impulse repeater.
2,070,876	2/16/37	E. Wochinger	Telephone system.
2,072,234	2/16/37	E. Wochinger	Telephone system.
2,077,047	4/20/37	F. Lubberger	Telephone metering system.
2,084,003	6/15/37	F. Lubberger	Telephone party line system.
2,086,623	7/13/37	W. Pfaff	Telephone system.
2,090,171	8/17/37	J. Kuchley et al.	Telephone line repeater.
2,090,172	8/17/37	F. Wolf	Telephone system.
2,093,245	9/14/37	F. Wolf	Telephone system.
2,094,140	9/28/37	E. Lubberger et al.	Telephone system.
2,100,318	11/30/37	O. Rinkow	Telephone system.
2,103,441	12/28/37	K. Wollack	Impulse sender mechanism.
2,104,968	1/11/38	F. Lill et al.	Measured service telephone system.
2,106,001	1/1/38	W. Michaels	Impulse sender.
2,106,881	2/1/38	C. Hoffmann	Telephone system.
2,110,908	3/1/38	W. Pfannschmidt	Telephone system.
2,112,403	3/1/38	W. Pfannschmidt	Telephone system.
2,127,418	11/22/38	W. Pfaff	Telephone system.
2,138,132	12/1/38	G. Rothert	Telephone system.
2,140,859	12/20/38	O. Soldan et al.	Telephone system.
2,145,663	1/3/39	H. Topfer	Telephone transmitter.
2,152,664	1/3/39	E. Wochinger	Telephone system.
2,153,313	4/4/39	R. Pfannschmidt	Automatic telephone system.
2,153,323	4/4/39	H. Topfer et al.	Automatic telephone system.
2,158,101	5/23/39	M. Langer et al.	Telephone system.
2,157,725	8/1/39	W. Pfaff	Telephone system.

EXHIBIT A

Patents the titles to which stand of record in the United States Patent Office in the name of Siemens & Halske, A. G. Wernerwerk, and which are identified as follows:

Patent No.	Patent date	Inventor	Title
Des. 85,679	12/1/31	O. Weeber et al.	Design for a desk telephone.
1,572,839	2/9/26	E. Horn et al.	Telephone system.
1,573,800	2/9/26	G. Horn	Telephone system.
1,578,847	3/9/26	G. Horn	Automatic telephone-exchange system.
1,615,266	12/15/27	K. Bohme et al.	Electromagnetic switch.
1,615,266	12/15/27	E. Horn	Telephone system.
1,620,060	3/8/27	A. Flad	Telephone system.
1,627,266	5/3/27	W. Scherzfeld	Telephone system.
1,632,010	6/14/27	F. Lubberger	Automatic telephone system.
1,632,343	6/14/27	F. Lubberger et al.	Automatic telephone system.
1,646,387	10/25/27	A. Preuss	Automatic telephone-switching system.
1,647,066	11/1/27	A. Schurmann	Telephone system.
1,653,031	12/27/27	M. Mathias	Telephone system.
1,657,117	1/24/28	A. Flad	Telephone system.
1,672,690	6/12/28	A. Scheunert	Selecting device for telephone systems.
1,674,413	6/19/28	A. Preuss	Selecting device for telephone systems.
1,677,325	7/17/28	H. Beckerath	Telephone system.
1,678,301	7/24/28	P. Quassowski	Telephone system.
1,682,055	8/28/28	A. Waschmack	Telephone desk set.
1,687,117	10/9/28	O. Weeber	Hand telephone.
1,688,477	10/23/28	A. Scheunert	Telephone system.
1,688,213	10/30/28	G. Tauchmann	Telephone-meter unit.
1,690,464	11/6/28	W. Kroll	Telephone system.
1,693,927	12/4/28	W. Kroll	Switch-bank contact.
1,697,221	1/1/29	K. Bohme	Multiple contact bank.
1,697,222	1/1/29	K. Bohme	Telephone system.
1,699,415	1/15/29	G. Wetzl	Telephone system.
1,705,732	3/19/29	M. Langer	Circuit arrangement for automatic telephone systems.
1,714,881	5/28/29	C. Hartmann	Acoustic diaphragm.
1,721,625	7/23/29	C. Hartmann	Switching mechanism.
1,728,779	9/17/29	B. Lubberger et al.	Automatic telephone system.
1,728,832	10/1/29	F. Lubberger	Telephone system.
1,730,171	10/1/29	M. Mathias	Telephone system.
1,734,254	11/5/29	A. Horn	Telephone system.
1,741,990	12/2/29	A. Horn	Telephone system.
1,746,327	2/4/30	M. Langer	Automatic telephone system.
1,747,405	2/18/30	H. Beckerath	Impulse correcting repeater.
1,750,848	3/18/30	F. Lubberger et al.	Automatic telephone system.
1,752,540	4/1/30	W. Munchenhausen	Multioffice telephone system.
1,757,753	5/6/30	F. Doring et al.	Electromagnetic switch.
1,771,657	7/29/30	W. Schulz	Cartridge fuse.
1,783,312	12/2/30	W. Schulz et al.	Telephone system.
1,785,994	12/23/30	M. Auer	Telephone system.
1,792,051	2/17/31	M. Mathias	Coin-collecting apparatus.
1,795,339	3/10/31	M. Langer	Circuit arrangement for telephone systems.
1,796,209	3/10/31	M. Mathias	Automatic telephone system.
1,798,495	3/31/31	G. Radke	Automatic telephone system.
1,798,507	3/31/31	H. Tatzl	Telephone system.
1,800,046	6/9/31	R. Kruse	Telephone system.
1,812,114	6/30/31	E. Nolke	Check microphone.
1,812,222	6/30/31	J. Stich	Double contact relay.
1,822,637	11/17/31	H. Rassow	Relay system.
1,826,092	12/15/31	M. Siede et al.	Electromagnetic relay.
1,838,787	12/29/31	A. Preuss	Repeater
1,843,137	2/9/32	F. Lubberger et al.	Circuit arrangement for relay selectors in telephone systems.
1,844,256	2/9/32	M. Langer	Telephone system.
1,845,215	2/16/32	K. Balhorn	Telephone system.
1,848,464	5/17/32	R. Schauburger	Switch key.
1,858,552	5/17/32	H. Schedlauber	Electromagnetic relay.
1,862,659	6/14/32	F. Kuchley	Circuit arrangement for stepping switches.
1,865,196	6/28/32	F. Wollack	Telephone system.
1,868,167	7/12/32	E. Horn	Telephone system.
1,868,589	7/12/32	R. Pfeiffer et al.	Telephone system.
1,870,791	7/19/32	G. Zapp et al.	Intercommunication telephone system.
1,878,036	8/9/32	A. Wechnack	Automatic telephone system.
1,871,080	8/9/32	A. Pelsner	Telephone system.
1,872,842	8/23/32	P. Storch et al.	Call recording and charging system.

EXHIBIT B—Continued

Patent No.	Patent date	Inventor	Title
1,609,475	12/7/26	F. Janus	X-ray screen.
1,612,885	1/4/27	W. Schottky	Intermediate electrode in incandescent cathode tube.
1,614,987	1/8/27	B. Langenbeck et al.	Holding or attaching means for ear telephones, listening tubes, and similar devices for improving the hearing.
1,617,912	2/15/27	H. Kafka et al.	Measuring device for high-voltage networks.
1,624,511	4/12/27	H. Sell	Microphonic relay.
1,627,106	5/3/27	M. Meeler	Measuring instrument.
1,638,556	8/9/27	K. Kupfmüller	Distortion compensator.
1,640,955	8/30/27	P. Mansel	Machine for recording time.
1,642,433	9/13/27	F. Luschen et al.	Alternating-current telegraphy.
1,643,668	9/27/27	N. Lindblad	Thermoelectric measuring arrangement.
1,644,333	10/4/27	H. Gerdien	Device for determining a difference in length.
1,644,340	10/4/27	G. Keinath	Optical pyrometer.
1,644,365	10/4/27	B. Pohlmann	Transmission system.
1,645,773	10/18/27	M. Pohlmann	Telephone.
1,646,065	10/18/27	H. Paul	Apparatus for X-ray examination and X-ray photographing.
1,647,669	11/1/27	H. Paul	Transmitter circuit.
1,647,985	11/8/27	W. Deutschmann	Artificial line.
1,648,895	11/15/27	H. Gerdien	Device for measuring microscopically small distances.
1,649,723	11/29/27	B. Pohlmann	Telephone repeater system.
1,654,084	12/27/27	M. Kirm	Electrical transmission system.
1,660,214	2/21/28	F. Ahlberg et al.	High-tension-current transformer.
1,665,008	4/3/28	H. Arndt	Automatic section-block system for railroads.
1,665,033	4/10/28	T. Zuschlag	Telephone system.
1,667,149	4/24/28	E. Gerlach	Acoustic device.
1,668,710	5/8/28	F. Döring et al.	Casing for loading coils.
1,669,041	5/8/28	A. Clausing	Alternating-current cable transmitter.
1,670,659	5/22/28	H. Gerdien	Process of making asbestos bodies.
1,671,620	5/29/28	H. von Marchtal	Method of producing type or type blocks.
1,673,045	6/12/28	H. Fischer	Method for producing technical pure beryllium respectively for freeing metallic beryllium from impurities.
1,673,048	6/12/28	H. Karsten et al.	Method of eliminating cross talk in phonated transmission systems.
1,678,545	7/10/28	B. Gross	Induction urnace.
1,677,378	7/17/28	D. Albrecht	Device for indicating the quotient of two electrical quantities.
1,683,301	9/4/28	H. Rössow	Device for synchronizing individually driven parts at a transmitter and a receiver station.
1,685,570	9/25/28	G. Masing et al.	Process of improving the qualities of nickel-beryllium alloy.
1,687,293	10/9/28	A. Hubert	Interference elimination.
1,689,334	10/30/28	R. Faldteller	Artificial line.
1,689,680	10/30/28	D. Albrecht	Method and arrangement for comparative alternating-current measurements.
1,689,692	10/30/28	H. Sell	Aural telephone system.
1,690,233	11/9/28	K. Kupfmüller	Impedance-correcting network.
1,691,133	11/13/28	H. Schmitz	Determining the contents of a gas.
1,695,031	12/11/28	H. Schmitz	Determining gaseous carbonic acid.
1,695,313	12/15/28	H. Arndt	Automatic block signal system.
1,701,181	2/5/29	H. Gruss	Process of using an apparatus for the determination of the amount of carbonic acid contained in fine gases.
1,702,254	2/19/29	W. Esmarch	Arrangement for the manufacture of Orone.
1,705,926	3/19/29	K. Kupfmüller et al.	Transmission-measuring apparatus.
1,706,968	3/26/29	M. Schleicher et al.	Apparatus for the control of a movable member.
1,708,126	4/9/29	W. Esmarch	Method for the treatment of hydrocarbons, especially oils by means of corona arc discharges.
1,709,360	4/16/29	H. Mayer	Amplifier.
1,709,688	4/16/29	H. Sell et al.	Telephone apparatus.
1,709,747	4/16/29	H. Sell	Electrical apparatus for persons defective in hearing.
1,719,107	7/2/29	A. Ebeling	Method of and means for reducing cross talk on loaded lines.
1,719,478	7/2/29	K. Kupfmüller	Pump-loaded long-distance cable with phantom formation.
1,721,073	7/16/29	W. Esmarch	High-frequency induction furnace.
1,723,641	8/6/29	A. Abild et al.	Image-drum arrangement for the transmission of images.
1,723,835	8/6/29	H. Arndt	Train-stop-control device.
1,725,026	8/20/29	R. Swinne	Electromagnetic body.
1,725,774	8/27/29	O. Zethhammer	Bevel wheel gear.
1,732,060	10/15/29	M. Moeller et al.	Arrangement for regulation of steam boilers.
1,735,002	11/26/29	W. Gaatz et al.	Quick-responding leakage relay.
1,737,503	11/26/29	K. Kupfmüller et al.	Control of the transmission efficiency.
1,737,582	12/3/29	E. Marchthal	Railway-ticket-delivering apparatus.
1,740,130	12/17/29	R. von Voss et al.	Measuring instrument.
1,740,188	12/17/29	M. Martens	Resistance-measuring instrument.
1,743,408	1/14/30	D. Thierbach	Measurement of echo effects in transmission systems.
1,746,012	2/4/30	A. Schenk et al.	Flow pyrometer.
1,746,356	2/11/30	G. Masing et al.	Process for the improvement of the properties of iron-beryllium alloys.
1,746,363	2/11/30	M. Schleicher	Electric switch.
1,746,368	2/11/30	W. Savran et al.	Telegraphic transmission of pictures.
1,746,454	2/11/30	E. Lubcke	Vapor-discharge tube.

EXHIBIT A—Continued

Patent No.	Patent date	Inventor	Title
2,170,903	8/29/39	U. Kesten	Telephone system.
2,176,321	10/17/39	K. Baloun	Telephone system.
2,176,723	11/14/39	B. Kudrna	Telephone system.
2,182,452	12/6/39	H. Lurk	Automatic telephone system.
2,183,832	12/19/39	F. Etzel	Telephone system.
2,183,898	12/19/39	R. Hornigsel	Automatic telephone system.
2,183,899	12/19/39	E. Simon	Telephone system.
2,183,945	12/19/39	E. Fauch et al.	Automatic telephone system.
2,183,946	12/19/39	K. Baloun	Telephone system.
2,184,315	1/9/40	K. Müller	Electromagnetic relay.
2,184,478	1/16/40	E. Wöchliger	Automatic telephone system.
2,184,489	1/16/40	M. Langer et al.	Automatic telephone system.
2,184,490	1/16/40	E. Wöchliger	Automatic telephone system.
2,184,491	1/16/40	E. Feist et al.	Automatic telephone system.
2,184,492	1/16/40	K. Müller	Measured service telephone system.
2,184,493	1/16/40	F. Lill	Telephone switch.
2,184,494	1/16/40	K. Müller	Telephone system.
2,184,495	1/16/40	E. Wöchliger	Motor driven switch.
2,184,496	1/16/40	E. Wöchliger	Telephone system.
2,184,497	1/16/40	E. Wöchliger	Telephone system.
2,184,498	1/16/40	E. Wöchliger	Telephone system.
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2,184,649	1/16/40	E. Wöchliger	Telephone system.
2,184,650	1/16/40	E. Wöchliger	Telephone system.
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Patent No.	Patent date	Inventor	Title
4,555,201	9/29/25	P. Kaminski	Arrangement for the telecontrol of guns or the like.
4,555,318	9/29/25	H. Sell	Measuring device.
4,557,856	10/13/25	E. Gerlach	Electrodynamic loud-speaking apparatus.
4,557,702	10/20/25	P. Kaminski	Gun-laying apparatus.
4,563,994	12/1/25	P. Kaminski	System for adjusting devices at a distance.
4,567,832	12/29/25	H. Marburg	Telephone switch.
4,567,791	12/29/25	E. Duhamel	Electrolytic production of metals.
4,570,212	1/19/26	E. Duhamel	Apparatus for the production of electrolytic iron.
4,570,287	1/19/26	H. Sell	Telephone.
4,571,054	1/26/26	M. Hosenfeld	Method for removing silica from ore latches.
4,573,135	2/9/26	H. Gerding	Rectifier with a change-over switch.
4,581,208	4/20/26	P. Kaminski	Means for correcting errors in gun-training devices.
4,581,729	4/20/26	P. Kaminski	Are lamp.
4,582,694	4/27/26	H. Rieger	Submarine signaling apparatus.
4,583,941	6/15/26	F. Luebberger	Telephone system.
4,583,941	6/15/26	H. Arnold	Electric signaling system.
4,583,941	6/15/26	H. Arnold	Apparatus for the electric transmission of signs.
4,583,941	6/15/26	H. Arnold	Method of improving the insulation of vacuum tubes.
4,583,941	6/15/26	H. Arnold	Filter circuits.
4,583,941	6/15/26	H. Arnold	Are lamp.
4,583,941	6/15/26	H. Arnold	Submarine signaling apparatus.
4,583,941	6/15/26	H. Arnold	Telephone system.
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4,583,941	6/15/26	H. Arnold	Are lamp.
4,583,941	6/15/26	H. Arnold	Submarine signaling apparatus.
4,583,941	6/15/26	H. Arnold	Telephone system.
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4,583,941	6/15/26	H. Arnold	Telephone system.
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4,583,941	6/15/26	H. Arnold	Are lamp.
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4,583,941	6/15/26	H. Arnold	Telephone system.
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4,583,941	6/15/26	H. Arnold	Are lamp.
4,583,941	6/15/26	H. Arnold	Submarine signaling apparatus.
4,583,941	6/15/26	H. Arnold	Telephone system.
4,583,941	6/15/26	H. Arnold	Electric signaling system.
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4,583,941	6/15/26	H. Arnold	Method of improving the insulation of vacuum tubes.
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4,583,941	6/15/26	H. Arnold	Are lamp.
4,583,941	6/15/26	H. Arnold	Submarine signaling apparatus.
4,583,941	6/15/26	H. Arnold	Telephone system.
4,583,941	6/15/26	H. Arnold	Electric signaling system.
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4,583,941	6/15/26	H. Arnold	Are lamp.
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4,583,941	6/15/26	H. Arnold	Telephone system.
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4,583,941	6/15/26	H. Arnold	Submarine signaling apparatus.
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4,583,941	6/15/26	H. Arnold	Method of improving the insulation of vacuum tubes.
4,583,941	6/15/26	H. Arnold	Filter circuits.
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EXHIBIT B—Continued

EXHIBIT B—Continued

Patent No.	Patent date	Inventor	Title	Patent No.	Patent date	Inventor	Title
1,748,706	2/25/30	W. Esmarck	Electric induction furnace.	1,857,742	5/10/32	G. Rieper	Picture telegraphy circuit.
1,749,635	3/14/30	E. Gerlach	Diaphragm for electrocrystalline apparatus.	1,857,745	5/10/32	R. Schmoek	Picture telegraph apparatus.
1,750,960	3/18/30	O. Langenbeck et al.	Electric instrument for diagnosing and assisting defective bearing.	1,857,752	5/10/32	W. Fauselmann	Electrolytic production of tin from alkali stannite or alkali stannite lyes.
1,753,279	4/8/30	A. Anders	Telephone system.	1,857,970	5/10/32	H. Neumann et al.	Magnetic alloy of high permeability.
1,754,186	4/8/30	G. Becker	Process of manufacturing drying varnishes.	1,858,771	5/17/32	H. Fischer	Process for the production of beryllium oxide or beryllium hydroxide from technical alkali-beryllium double halides, in particular fluorides.
1,755,037	5/6/30	H. Biermann et al.	X-ray device.	1,859,776	5/24/32	A. Jipp	Telegraph plant or type-printing telegraph.
1,757,047	5/6/30	M. Hoenfeld et al.	Process of electrolytically refining copper or copper alloys.	1,860,589	6/31/32	G. Kelnath	Process for assembling current transformers.
1,757,688	5/13/30	H. Schmoek	Method of and means for determining a constituent in a mixture of substances.	1,864,100	6/31/32	O. Steiner	Film guide for photographic cameras.
1,758,097	5/13/30	P. Wiesner	Dynamometric measuring instrument.	1,865,752	7/5/32	D. Gabor	Vacuum tube.
1,762,964	6/10/30	A. Ebeling	Loaded cable circuit.	1,866,124	7/5/32	J. Oertli	Conveying apparatus, particularly for electroplating.
1,767,190	6/24/30	E. Gerlach	Process and apparatus for the production and reproduction of phonograms.	1,867,176	7/12/32	E. R. Kelmann	Oscillograph.
1,768,274	6/24/30	P. Thomas et al.	Inductance device for loading phantom circuits.	1,867,193	7/12/32	R. Swinne	Kerr cell.
1,770,485	7/15/30	A. Jipp	Means for neutralizing disturbances, especially of telegraph signals transmitted by radio.	1,870,997	8/9/32	C. Winter	Plug-in device.
1,771,717	7/29/30	E. Lubcke	Thermionic tube.	1,872,264	8/16/32	R. Feldtkeller	Printing telegraph exchange system.
1,772,771	8/12/30	B. Fekkenheuer et al.	Magnetic alloy.	1,873,049	8/23/32	C. Schrader	Amplifier system.
1,774,673	9/2/30	M. Schleicher et al.	System for the regulation of machines.	1,873,910	8/30/32	F. Conrad	High tension transformer.
1,775,502	9/9/30	M. Schleicher et al.	Apparatus for measuring earth resistances.	1,874,917	8/30/32	K. Kupfmüller et al.	Method of and means for eliminating aperiodic disturbances.
1,778,985	10/21/30	H. Sell	Electric appliance for the measuring of the activeness of bearing.	1,875,027	8/30/32	O. Weeber	Atmospheric disturbance elimination.
1,782,100	11/18/30	M. Schleicher et al.	Relay.	1,875,968	9/20/32	E. Gerlach	Static and magnetic shield.
1,782,594	11/25/30	A. Jipp	Method of and means for receiving telegraphic signals.	1,877,844	9/20/32	M. Schleicher	Reproducer for sound films.
1,784,546	12/9/30	M. Schleicher	Apparatus for controlling and indicating earth leakages in alternating current lines.	1,878,887	9/27/32	A. Jaumann	Apparatus for the supervision of electric power distributing systems.
1,788,967	1/13/31	O. Gaedke	Apparatus for evaluating range-table functions if two independent variables.	1,882,631	10/11/32	J. Sedlmayer	Electric filter arrangement.
1,789,863	1/20/31	M. Buchting et al.	Arrangement for the regulation of steam generators.	1,882,653	10/11/32	P. Storck	Signal transmission system.
1,792,219	2/10/31	R. Grebel	Method of securing grid wires.	1,883,074	10/18/32	F. Gossian	Chemical picture-telegraph equipment.
1,794,639	3/3/31	K. Ezrooff	Device for tapping supply lines.	1,883,781	10/18/32	W. Esmarck	Minutely-acting two-stroke internal-combustion engine.
1,795,294	3/10/31	R. Daim	Telephone system.	1,885,810	11/1/32	H. Hurr	Process for the separation of electrically charged particles from fluids with the aid of an electric current.
1,795,697	3/10/31	G. Kelnath et al.	Telephone apparatus for measuring transformers.	1,888,067	11/22/32	H. Hurr	Stabilizing device for films.
1,796,941	3/10/31	J. Fischer	Long-distance signaling device working with current-impulse code.	1,888,964	11/29/32	H. Hurr et al.	Apparatus for the determination of the contents of combustible gases in gas mixtures.
1,797,711	3/24/31	R. Bornschein	Electrical signal.	1,889,552	11/29/32	G. Kelnath et al.	High speed motor transformer.
1,797,880	3/24/31	O. Schirm	Electrolytic production of lead peroxide.	1,890,583	11/29/32	G. Kelnath et al.	Arrangement for operating instantaneous valves.
1,799,306	4/14/31	W. Binnit	Mechanical translating apparatus for printing-telegraph systems.	1,890,585	11/29/32	G. Kelnath et al.	Method of picture transmission.
1,800,973	4/14/31	H. Wustney	Production of concentrates of rhodium.	1,892,371	12/27/32	G. Kelnath	Frequency measurer.
1,804,429	5/12/31	W. Noddack et al.	Means for indicating the position of a connector switch.	1,892,401	12/27/32	O. Steiner	Motion film camera with spring motor drive.
1,805,999	5/19/31	M. Schleicher et al.	Electric incandescent body.	1,892,412	12/27/32	G. Hense et al.	Electrolytic treatment of solutions containing a high percentage of chlorine ions.
1,806,410	5/19/31	W. Noddack et al.	Summation meter.	1,895,776	1/31/33	F. Stölp	Spool for electrical coils.
1,806,269	6/9/31	W. Gaatz et al.	Type printing telegraph apparatus.	1,895,814	2/7/33	A. Gehrts	Gas content rectifier.
1,814,236	7/14/31	H. Wustney	Apparatus for measuring a plurality of values.	1,899,425	2/28/33	M. Schleichner	Electrical protective system.
1,818,847	8/11/31	H. Gruss	Constant potential device.	1,899,501	2/28/33	W. Gabriel	Cable for communication circuits.
1,818,004	8/18/31	A. Jaumann	Arrangement for the determination of resistances.	1,899,502	2/28/33	O. Hachfeld	Electromagnet.
1,820,738	8/25/31	H. Gruss et al.	Stamping apparatus for registration of any desired values of business or work operations.	1,901,933	3/21/33	H. Sell	Microphone.
1,820,751	8/25/31	P. Mangel	Process of decarburizing iron or steel or their alloys.	1,904,067	3/21/33	O. Steiner	Film holder for photographic cameras.
1,821,407	9/1/31	W. Schottky	Rectifier relay circuit.	1,907,881	5/9/33	H. Rudolph	Picture telegraph apparatus.
1,823,072	9/15/31	D. Thierbach	Telegraph or teletype plant.	1,908,134	5/9/33	V. Engelhardt et al.	Electrolytic cell of the mercury type.
1,823,978	9/22/31	A. Jipp	Protection of electric lines or line systems.	1,908,135	5/9/33	E. Gerlach	Tone carrier protecting apparatus.
1,824,476	9/22/31	W. Gaatz et al.	Synchronizing device.	1,908,138	5/9/33	H. Gruss et al.	Optical pyrometer with two filaments heated by the same source of current.
1,824,999	9/26/31	A. Jipp	Apparatus for determining the distance to ground connections in electric conductors.	1,908,977	5/16/33	G. Kelnath	Current transformer.
1,825,754	10/6/31	H. Polek	Telephone system.	1,910,253	5/23/33	G. Kelnath	Secret telegraph system.
1,827,061	10/13/31	O. Anders	Cathode and process of making the same.	1,912,983	6/6/33	A. Jipp et al.	Multistage amplifier or receiver arrangement.
1,830,162	11/3/31	J. Herrmann	Synchronizing system.	1,913,024	6/6/33	E. Gerlach	Power transformer and more particularly to transformers and reactors for extra-high voltage currents.
1,830,546	11/3/31	F. Frenzel	Electric furnace.	1,916,388	7/4/33	C. Schrader et al.	Automatic control mechanism.
1,830,992	11/10/31	R. Feldtkeller et al.	Telephone interconnecting circuit.	1,916,624	7/4/33	P. Mansel	Diaphragm for acoustic apparatus.
1,832,452	11/17/31	F. Engelhardt et al.	High frequency induction furnace or heating apparatus.	1,917,309	7/11/33	J. Leopold	Amplifier power supply.
1,837,031	12/15/31	H. Schuchmann	Machine regulating means.	1,917,722	7/11/33	J. Kirschaeder	System of communication by means of current impulses.
1,838,416	1/5/32	M. Schleicher	Device for regulating operating quantities.	1,918,043	7/11/33	E. Krumme et al.	Method of determining distances.
1,842,769	1/26/32	H. Mayer	Electrically controlled sorting machine.	1,919,015	7/18/33	K. Esenapf	Apparatus for measuring alternating current.
1,847,127	3/1/32	F. Lubcke	Vapor discharge tube with control grid.	1,919,284	7/25/33	H. Walter	Magnetic material.
1,848,677	3/15/32	R. Schmoek	Arrangement for the telegraphic transmission of pictures and the like.	1,919,806	7/25/33	H. Schult	Glow discharge rectifier with hollow cathodes.
1,850,967	3/22/32	F. Doring et al.	Transmission of colored pictures.	1,920,660	8/1/33	J. Nienhold	Apparatus for passing air jets suspended from supporting devices through ball.
1,851,945	3/29/32	R. Schmoek	Method for revolving parts.	1,921,830	8/8/33	K. Kramber	Protective ground connection.
1,854,315	4/19/32	F. Doring et al.	Method of insulating bodies.	1,923,069	8/22/33	P. Appollus	Counting-relay device.
1,854,523	4/26/32	R. Schmoek	Apparatus for treating living cells by means of rays of light.	1,924,469	8/29/33	F. Schreder	Coil for induction furnaces.
1,856,900	5/3/32	V. Engelhardt et al.	Apparatus for electrolytically refining precious metals.	1,924,680	8/29/33	W. Esmarck	Diaphragm for apparatus for picture telegraphy.
1,857,800	5/10/32	G. Mesing	Manufacture of metal covered copper wires.	1,924,700	8/29/33	H. Thiele	Telegraph exchange system.
1,857,600	5/10/32			1,925,127	9/12/33	F. Ulrich et al.	Tuning.
				1,925,216	10/3/33	H. Pannenmüller	Apparatus for controlling electrical circuits by means of electrical valves.

EXHIBIT B—Continued

EXHIBIT B—Continued

Patent No.	Patent date	Inventor	Title	Patent No.	Patent date	Inventor	Title
1,931,297	10/17/33	H. Pfannenmuller	Mechanical rectifier.	2,002,344	5/21/35	B. Fischer et al.	Communication cable with reduced magnetic coupling.
1,931,620	10/24/33	W. Kautter	Automatic gain control.	2,002,546	5/28/35	A. Muller et al.	Electric motor and control therefor.
1,933,627	11/7/33	A. Jauch	Modulation circuit arrangement.	2,003,929	6/4/35	E. Fischer et al.	Field compass.
1,934,184	11/7/33	F. Gerlach et al.	Electrodynamical loud speaker.	2,004,175	6/11/35	W. Schottky	Discharge tube.
1,935,653	11/21/33	A. Jenny et al.	Production of corrosion-resistant coatings on aluminum anode.	2,010,978	8/13/35	A. Clausen	Supergenerative receiver.
1,936,301	11/21/33	P. Mansel	Perforating machine.	2,011,372	8/13/35	J. Nienhold	Slow-discharge vessel filled with gas or vapor.
1,940,414	12/10/33	W. Hahle	Amplifier circuit.	2,011,384	8/13/35	W. Thal	Machine for automatically sorting, evaluating, or accounting of perforated cards.
1,942,178	1/2/34	A. Machebuehr	Wireless transmission of telegraph impulses.	2,012,135	8/20/35	P. Mansel	Device for the transmission of measurement values over long distance lines.
1,942,580	1/2/34	D. Thierbach	Electrical drive for sound film equipments and the like.	2,013,544	9/3/35	M. Schleicher	Generator.
1,943,664	1/9/34	F. Fischer	Telephone intercom connecting circuit.	2,014,136	9/10/35	W. Kautter	Electrolytic condenser.
1,944,283	1/23/34	F. Strecker	Control device for electric currents.	2,015,522	10/22/35	W. Hermann et al.	Device for determining the temperature of electrically conductive bodies.
1,944,721	1/23/34	H. Sell	Plating aluminum.	2,023,067	11/3/35	O. Kohn	Amplifier.
1,947,931	2/20/34	J. Fischer	Switch position indicator.	2,022,496	11/20/35	B. Feldtkeller	Transmitting measurements to a remote point.
1,948,254	2/20/34	K. Brandenburger	Push cable for simultaneous low frequency and carrier frequency telephony.	2,023,221	12/3/35	P. Fischer et al.	Large transmission apparatus.
1,950,184	3/ 6/34	P. Mansel	Statistical machine.	2,023,400	12/3/35	H. Boeck	File control device.
1,950,187	3/ 6/34	A. Gehris	Manufacture of thermionic cathodes.	2,027,636	1/7/36	K. Scherbert	Removal of the dielectric losses of a conductor.
1,952,854	3/27/34	A. Basso	Multiplex telegraph equipment.	2,028,630	1/7/36	M. Schleicher et al.	Shielding device.
1,953,658	4/ 3/34	O. Weber	Telephone handset.	2,035,655	2/4/36	W. Thal	Method and device for reproducing sound records obtained on lacinated films.
1,954,108	4/10/34	F. Doring et al.	Switch for use in telephone systems.	2,036,273	2/11/36	P. Straubel	Machine for automatically sorting cards.
1,954,121	4/10/34	A. Armauer et al.	Circuit arrangement for thermionic receivers.	2,038,193	3/10/36	F. Fischer	Machine for producing of firmly adhering galvanic coatings on aluminum and aluminum alloys.
1,956,386	4/24/34	H. Gruss	Hygrometer.	2,039,107	3/17/36	P. Mansel	Photoelectric generator.
1,957,435	5/ 8/34	O. Baur	Pumping mechanism.	2,041,905	3/24/36	A. Jaumann	Signaling system.
1,957,796	5/ 8/34	P. Muller	Tuning arrangement.	2,046,962	4/7/36	J. Fischer	Four-wire system with echo suppressors.
1,958,131	5/15/34	A. Jaumann	Electric wave filter.	2,047,357	7/14/36	H. Gerlein et al.	Method for sealing in lead-in wires.
1,958,029	6/ 5/34	H. Mayer et al.	Duplex transmission system.	2,047,777	7/14/36	C. Hartmann	Acoustic device.
1,962,206	6/12/34	H. Neumann	Electrodynamical loud speaker.	2,050,960	8/11/36	B. Tamm	Electrodynamical transmitter.
1,962,806	6/12/34	G. Masing et al.	Copper beryllium alloy.	2,053,850	9/8/36	W. Janovsky	Apparatus for testing the running of timepieces.
1,965,393	7/ 3/34	M. Schleicher et al.	Arrangement for the operation of a substation from a remote main station.	2,053,857	9/8/36	H. Mayer	Device for measuring mechanical forces and momenta.
1,965,649	7/10/34	A. Jaumann	Power transformer for radiofrequency work having a broad transmission range.	2,055,343	9/22/36	K. Farnell et al.	Automatic selective feeding control circuits.
1,965,977	7/10/34	H. Kohl et al.	Spark plug for internal combustion engines.	2,055,760	10/6/36	M. Buchting	Telegraphic repeater system.
1,968,106	7/31/34	D. Thierbach	Transformer system.	2,055,489	12/22/36	K. Jacob	Electrical system for controlling any industrial measuring value.
1,968,483	8/14/34	J. Fischer	Plating aluminum and its alloys.	2,067,655	1/6/37	W. Jacob	Device for avoiding nonlinear distortion.
1,968,770	8/14/34	F. Conrad	Motor interference elimination system.	2,069,605	2/23/37	E. Fischer	Control arrangement for motors, particularly rudder motors.
1,971,432	9/18/34	A. Hermann	Diaphragm for electrodynamic loud speakers.	2,072,270	3/23/37	P. Scharrer	Operation of radio broadcast stations.
1,974,079	9/25/34	K. Maier	Magnetic body and process of making same.	2,073,849	3/16/37	H. Nuttbroek	Rheostat of adjustable resistance and potentiometer with contact members.
1,974,914	10/2/34	F. Gabbert et al.	Diaphragm centering means.	2,075,298	3/30/37	O. Kreuzen	Electron discharge device.
1,975,239	10/2/34	A. Ungelenk et al.	Method of chromium plating.	2,079,071	5/4/37	G. Keinath	Combination of current transformer and measuring condenser.
1,975,182	10/23/34	H. Wilhelm	Automatic volume control.	2,080,825	5/18/37	O. Keinath	Device for testing the operation of timepieces.
1,978,124	10/23/34	K. Polak	Line protecting device.	2,081,748	5/25/37	W. Janovsky	Method of measuring mechanical forces.
1,979,392	11/6/34	E. Labcke	Cathode ray tube.	2,084,678	6/22/37	W. Geyger	Arrangement for carrying out alternating current measurements with the aid of measuring rectifiers.
1,981,050	11/20/34	G. Lohmann	Method of neutralizing disturbing electric waves.	2,085,519	6/29/37	F. Noll	Magnetic material and manufacture thereof.
1,981,498	11/20/34	V. Engelhardt et al.	Electrolytic cell.	2,095,519	10/12/37	J. Fischer	Method for producing galvanic coatings on aluminum or aluminum alloys.
1,982,717	12/4/34	K. Wilhelm	Low capacity switching means.	2,095,701	10/12/37	J. Herrmann	Picture telegraphy.
1,983,311	12/4/34	M. Schleicher	Luminous duplicating system for the purpose of supervising electrical distributing systems.	2,100,456	11/30/37	H. Walter	Electrical circuit with modulating or rectifying devices.
1,983,339	12/4/34	L. Brandenburger	Remote control plant.	2,100,510	11/30/37	R. Hofer et al.	Telephone system.
1,984,160	12/11/34	H. Walter	Method and device for determining the properties of stratified or fibrillated materials.	2,101,690	12/7/37	M. Boesche et al.	Alternating current signaling system.
1,984,835	12/18/34	A. Gehris	Method of making tools.	2,102,472	12/14/37	H. Mayer	Multichannel carrier transmission system.
1,985,028	1/ 1/35	W. Krambeier	Discharge device.	2,107,353	2/8/38	H. Vatter	Lead-in for electron discharge devices.
1,985,999	1/ 1/35	W. Kroll	Audio frequency amplifier.	2,107,855	2/15/38	F. Fischer et al.	Distance measuring means and method.
1,986,585	1/ 1/35	P. Muller	Tuning coil.	2,108,766	2/22/38	W. Thal	System for measuring a component of an alternating current or an alternating voltage.
1,987,124	1/ 8/35	H. Neumann	Acoustic apparatus.	2,109,334	2/22/38	H. Kaden et al.	Communication cable comprising one or more screened core groups.
1,987,412	1/15/35	P. Tusek	Multiple transmission system.	2,110,523	3/ 8/38	W. Geyger	Bridge and similar connection for measuring alternating current.
1,988,614	1/22/35	F. Tusek	Selective frequency coupling system.	2,111,386	3/15/38	E. Buchmann et al.	Electrical circuit control device.
1,988,730	2/ 5/35	L. Baib et al.	Radio frequency coupling system.	2,112,306	3/20/38	E. Rosberg et al.	Printing telegraph.
1,991,143	2/12/35	W. Ehlers	Production of finely divided magnetic bodies.	2,112,971	4/5/38	H. Neumann	Ferro-magnetic alloy.
1,993,526	3/ 6/35	W. Rühl	Submarine communication cable.	2,113,429	4/5/38	R. Holl	Arrangement for synchronizing of telegraph apparatus.
1,993,880	3/12/35	K. Faber	Circuit arrangement for neon lamps in telephone systems.	2,115,498	4/26/38	G. Rieper	Direction maintaining device for dirigible craft.
1,994,517	3/19/35	F. Hennig	Signaling.	2,117,462	5/17/38	W. Thal	System for measuring a component of an alternating current or an alternating voltage.
1,995,976	3/26/35	E. Gerlach	Process for the production of sound films according to the amplification process.	2,117,721	5/17/38	R. Hornikel	Telephone system.
1,997,173	4/ 9/35	F. Gossian et al.	Cooling arrangements for internal combustion engines.	2,118,072	5/24/38	W. Deuschmann	Potentiometer.
1,997,388	4/ 9/35	A. Ohlmann	Measuring system.				
1,997,412	4/ 9/35	E. Fischer	Regulating the altitude of aircraft.				
1,997,683	4/16/35	F. Hennig	Antiradiation system for telegraph signals with electrostatic storing of signals.				
1,998,702	4/23/35	I. Sedlmayer	Interference elimination system.				
1,999,566	4/30/35	W. Kautter	Antidistortion device.				

EXHIBIT B—Continued

Patent No.	Inventor	Title
2,118,103	W. Oeding	Cable connector and support.
2,118,248	G. Keimath	Hydraulic governor.
2,121,180	H. Vatter	Method for getting vacuum tubes.
2,121,448	G. Ritzau	Electrode composition.
2,121,507	O. Karl	Electrode composition.
2,121,615	H. Vatter	Gas or vapor filled discharge device.
2,121,690	R. Reichmann	Heating device and the like.
2,122,748	H. Mayer	Four-pole device containing non-linear resistors.
2,124,607	A. Buchner et al.	Method for manufacturing permanent magnets.
2,126,017	A. Jenny et al.	Method of producing photographic representations on aluminum surfaces.
2,126,067	H. Waller	Rectifier.
2,127,364	G. Keimath et al.	Instrument for testing or utilizing very high voltages.
2,128,074	D. Thierbach	Vacuum circuit breaker.
2,128,892	H. Vatter	Air-cored high-frequency transformer.
2,130,432	R. Schmoock	Indirectly heated thermionic cathode.
2,131,204	E. W. Schmidt	Method for manufacturing vacuum vessels.
2,133,492	H. Vatter	Antenna tensioning device.
2,134,027	H. Brube	Electrodynamical loudspeaker.
2,134,094	F. Ulrich et al.	Alternating current apparatus for testing magnetizable materials.
2,134,539	W. Thal	Electrode system.
2,134,577	A. Putzer	Apparatus for measuring high-frequency alternating currents.
2,134,589	J. Stanek	Signal transmission.
2,134,850	M. Baesecke	Modulator.
2,136,096	H. Bendel	Electric discharge vessel.
2,137,069	H. Vatter	System for measuring alternating current quantities.
2,137,401	E. Hobbie	Indicating device.
2,138,344	W. Geyer	High-frequency system.
2,138,933	O. Slopek	Method for applying metallic coatings to ceramic bodies.
2,139,451	J. Holme et al.	Electric condenser.
2,139,457	G. Binke	Electric condenser.
2,139,458	A. Ellinger	Printing telegraph receiver.
2,139,452	K. Kreuzer	Electric condenser.
2,139,453	L. Lindner	Electric condenser.
2,139,459	H. Sussch	Method and arrangement for synchronizing of printing telegraphs.
2,140,596	H. Rausow	Amplitude limiting device.
2,144,090	F. Strecker	Arrangement for modulation.
2,144,655	W. Halmé	Telephone system.
2,145,095	F. Pfender	Circuit arrangement for the control of glow tubes.
2,146,818	W. Halmé	Arrangement for measuring the losses in condenserlike objects.
2,149,256	W. Geyer	Arrangement for testing the inner work absorbed by materials.
2,150,377	G. Knaul	Method for testing materials.
2,152,016	M. Baesecke et al.	Phonograph device.
2,152,221	O. Scholz	Process for making electrical contacts.
2,154,288	H. Rausow et al.	Printing telegraph apparatus.
2,155,631	O. Kreuzen	Electric discharge device.
2,156,640	H. Bendel et al.	Amplifying detector.
2,159,790	E. Freytag et al.	Frequency analyzer.
2,161,844	J. Babier	Amplifier cascade with negative feedback.
2,162,267	H. Mayer	Amplifier.
2,162,471	K. Marquardt	Electric condenser.
2,162,480	K. Mathies et al.	Lead wire construction.
2,163,412	O. Schneider	Shielded connector device.
2,164,595	K. Siebertz	Method of coating electrodes.
2,166,932	G. Keimath	Method and system for testing high-voltage insulation.
2,168,569	H. Jacoby et al.	Microphone.
2,168,589	F. Strecker et al.	Transmission system.
2,169,300	H. Kimmel	Permanent magnet of copper-cobalt-nickel alloy.
2,170,047	W. Danmohr et al.	Arrangement for shielding amplifiers.
2,170,050	G. Gandner	Method for automatic indication of inflammable gas admittures.
2,170,056	G. Keimath et al.	Amplifier feedback suppression.
2,170,878	F. Strecker	System for indicating the values of components of an electromotive force.
2,171,978	W. Geyer	Tube having a plurality of grids.
2,172,198	M. Harnisch	Electric discharge device.
2,172,205	O. Karl et al.	Glow cathode.
2,172,207	H. Kolligs et al.	Sorting machine.
2,172,737	P. Mansel	Telephone system.
2,172,875	F. Lubberger	Self-compensating amplifier.
2,172,901	L. Metz	Apparatus for measuring the electric conductivity of liquids.
2,173,233	F. Lencow et al.	System for remotely switching in and out the driving motor of telegraph apparatus.

EXHIBIT B—Continued

Patent No.	Inventor	Title
2,176,349	B. Kudrna	Party-line telephone system.
2,177,260	P. Schupp et al.	Electrical condenser with dielectric of polymeric material.
2,177,835	W. Mennerich et al.	Arrangement for varying the band width in high-frequency circuits.
2,177,842	A. Schone et al.	Variable inductance device.
2,177,847	R. Tamm	Circuit arrangement adapted to equalize working voltage fluctuations in amplifiers.
2,178,332	F. Forster	Apparatus for testing the mechanical oscillation properties of bodies.
2,178,645	H. Polek	Measuring arrangement for potential transformers.
2,181,312	A. Kramer	Modulating system.
2,182,089	J. Linder	Frequency dependent damping network.
2,182,324	J. Stanek	Device for testing high-frequency currents.
2,182,641	H. Polek	Tilting relay depending on the ratio between current and voltage and the phase displacement.
2,183,755	W. Schotky	Thermonegative resistor.
2,185,702	K. Kramber	Method of selective tuning.
2,187,184	K. Siebertz	Electron multiplier.
2,189,318	O. Kreuzen	Electron multiplier tube.
2,189,593	A. Putzer	Gas or vapor filled discharge tube.
2,190,835	H. Gruss et al.	Arrangement for carrying out electrometrical measurements.
2,190,914	O. Kreuzen	Electronic device.
2,194,165	R. Hellmann et al.	Mechanical filter.
2,194,204	E. Bahr	Key arrangement.
2,197,611	J. Fischer et al.	Method of producing protective coatings on magnesium and the alloys thereof.
2,197,616	T. Lehne et al.	Air-space insulated conductor.
2,197,807	F. Klement	Method for receiving and transmitting signals.
2,198,988	G. Binke	Electrolytic condenser.
2,199,757	L. Rohde	High-frequency voltmeter for high voltages.
2,200,796	F. Lill et al.	Telephone metering system.
2,201,642	R. Bauer	Inductive regulator for coarse and fine regulation.
2,203,484	H. Bendel	Automatic amplifier with negative feedback.
2,204,975	D. Thierbach	Automatic amplifier with negative feedback.
2,204,982	K. Siebertz	Electrolytic water decomposer.
2,204,999	O. Kreuzen	Electrolytic water decomposer.
2,205,207	E. Kreuzen	Amplifying scheme for photo-cathode.
2,205,547	O. Kreuzen	Method of making sound films.
2,207,829	H. Sell	Recording instrument for electrical measurements.
2,207,862	W. F. Fichler-Tennenberg	Negative feedback amplifier.
2,208,352	R. Juch	Device for compensating the pressure in water decomposers.
2,208,622	W. Eggerland	Telephone system.
2,209,059	E. Juch	Variable condenser.
2,210,053	F. Fischer et al.	Air spaced coaxial high-frequency cable.
2,210,853	C. Maurer	Photoelectric tube.
2,210,856	W. Geyer	Apparatus for simultaneously measuring two magnitudes with a common line system.
2,210,981	K. Kupfmüller	Wide band amplifier.
2,212,103	K. Abraham	Device for cooling refrigerators.
2,215,463	O. Steiner	Cathode.
2,217,448	E. Müller	Cinephotograph camera provided with a magazine.
2,230,968	S. Link	Magnetron oscillator and modulation means therefor.
2,231,102	H. Mayer	Push-pull amplifier circuit.
2,232,830	M. Dressler et al.	Printing telegraph apparatus.
2,235,908	H. Garthe	Rotary pump.
2,237,902	W. Hahnle	Cathode ray tube.
2,237,946	F. Polzger	Carrier frequency signal system.
2,252,121	O. Kreuzen	Manufacture of permanent magnets.
2,252,433	A. Arnsperger	Amplifying device for electron currents.
2,252,438	M. Harnisch	Carrier current receiver.
2,252,738	P. Gottschall	Electron discharge device.
2,253,160	F. Kueser	Inductance core having low negative temperature coefficient of inductance and method of making it.
2,253,433	F. Kueser	Transmitter.
2,253,021	G. Jung	Carrier frequency telegraph system.
2,258,457	W. Von Werther et al.	Amplifier circuit organization with means to compensate non-linear distortions.
2,240,028	W. Bader	Luminous mark measuring arrangement.
2,241,912	M. Kersten et al.	Arrangement for coil winding with magnetizable cores.
2,245,373	A. Weis et al.	Magnetizable core.
2,245,766	W. Dorfel et al.	Self-supporting hollow conductor for electric cables.
2,254,057	H. Arni et al.	Television receiving apparatus.
2,254,369	R. Golke	Oscillation generator.
2,272,836	H. Gerden	Hemodynamic meter.

[P. R. Doc. 42-10221; Filed, October 12, 1942; 10:50 a. m.]

[Vesting Order 153]

PATENTS OF ENEMY NATIONALS

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title, interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the patents, the numbers of which are listed in Exhibits A, B, C and D attached hereto and made a part hereof, and the titles to which stand of record in the United States Patent Office in the names of the persons appearing (a) in the cases of the aforesaid Exhibits A, B and C at the respective tops thereof, and (b) in the case of said Exhibit D opposite the respective numbers listed therein,

is property in which nationals of a foreign country or countries have interests, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in Section 10 of said Executive Order.

Executed at Washington, D. C., on September 17, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

17 F.R. 1971.

EXHIBIT A

Patents the titles to which stand of record in the United States Patent Office in the name of The Firm of Carl Zeiss, and which are identified as follows:

Patent No.	Patent date	Inventor	Title
1,519,105	12/16/24	W. Bauersfeld	Device for making cinematographic exposures.
1,553,786	9/15/25	F. Lowe	Prism for dipping refractometers.
1,559,801	11/3/25	A. Steinle	Cylindrical end-gauge.
1,564,418	12/8/25	A. König	Double-image microscope.
1,578,251	3/30/26	H. Arruga	Illuminating device.
1,578,259	3/30/26	H. Boegehold	Group of lenses.
1,579,532	4/6/26	O. Henker	Refractometer.
1,580,751	4/13/26	W. Merte	Lens system.
1,581,883	4/20/26	A. Steinle	Machine for cutting noncircular glasses.
1,584,271	5/11/26	L. Bertele	Photographic lens.
1,584,272	5/11/26	L. Bertele	Photographic lens.
1,588,221	6/8/26	W. Bauersfeld	Method of making mark plates for micrometer oculars and mounting of the same.
1,612,071	12/28/26	A. Steinle	Thread-testing device.
1,613,688	1/11/27	O. Henker	Apparatus for the objective measurement of the refractive value of the principal point of the eye.
1,616,736	2/8/27	W. Bauersfeld	Device for projecting stars.
1,616,751	2/8/27	A. König	Telescope objective.
1,616,754	2/8/27	R. Mechau	Galvanometer.
1,616,765	2/8/27	A. Sonnefeld	Photographic objective.
1,618,291	2/22/27	L. Maggieri	Device for determining the field of vision.
1,632,930	6/21/27	H. Siedentopf	Additional device for binocular microscopes with one objective.
1,642,219	9/13/27	A. Steinle et al.	Apparatus for testing toothed wheels.
1,649,064	11/15/27	O. Henker	Refractometers.
1,649,068	11/15/27	A. Kohler	Microscope.
1,649,106	11/15/27	O. Eppenstein	Device for testing bolt threads.
1,649,114	11/15/27	O. Henker	Refractometer.
1,651,648	12/6/27	O. Von Gruber	Device for process work and the like.
1,653,426	12/20/27	W. Bauersfeld	Machine for making circle divisions.
1,657,326	1/24/28	A. Steinle	Measuring apparatus.
1,661,279	3/6/28	E. Wandersleb	Mount for photographic objectives.
1,662,836	3/20/28	A. Steinle	Method of and device for testing the position of two axial directions.
1,665,002	4/3/28	O. Von Gruber	Device for tracing cross sections.
1,667,995	5/1/28	A. Steinle	Device for testing the position of driving shafts in piston machines and the like.
1,668,020	5/1/28	L. Van Albada	Optical systems of magnifying glasses.
1,671,152	5/29/28	B. Graves	Holding device for an eye-testing apparatus.
1,671,168	5/29/28	A. Steinle	Caliper gauge.
1,671,558	5/29/28	E. Wandersleb	Finder for photographic cameras.
1,678,269	6/12/28	J. Scheid et al.	Method of making finely-perforated ceramic plates.
1,674,041	6/19/28	O. Henker	Objective-revolving nose piece for microscopes.
1,678,493	7/24/28	L. Van Albada	Finder for photographic cameras.
1,679,478	8/7/28	W. Kabisins	Depth gauge.
1,693,969	12/4/28	W. Williger et al.	Device for projecting stars.
1,696,777	12/25/28	F. Meyer	Holder for arc-lamp carbons.
1,697,670	1/1/29	E. Wandersleb et al.	Photographic lens.
1,698,667	1/22/29	A. Kohler	Illuminating device for microscopes.
1,702,258	2/19/29	O. Henker	Device for determining the squint deflection.
1,703,120	2/26/29	A. Steinle	Measuring device.
1,708,863	4/9/29	L. Bertele	Photographic objective.
1,715,845	6/4/29	A. König	Tacheometric telescope.
1,716,512	6/11/29	W. Bauersfeld et al.	Photographic shutter.
1,719,443	7/2/29	P. Nichterlein	Reversing prism affording parallel vision.
1,721,081	7/16/29	F. Meyer	Regulating device for arc lamps.
1,723,627	8/6/29	F. Meyer	Regulating device for arc lamps.
1,726,129	8/27/29	A. Steinle	Feeler gauge with handle.
1,740,529	12/24/29	E. Wandersleb et al.	Sunshade for photographic objectives.
1,741,526	12/31/29	T. Kuhl	Appliance for photographing the interior of the eye.
1,741,947	12/31/29	W. Merte	Photographic lens, corrected spherically, chromatically, astigmatically and for coma.
1,755,551	4/22/30	F. Meyer	Holder with feeding arrangement for the positive electrode of a searchlight.
1,758,049	5/13/30	A. Kohler	Illuminating device.
1,760,208	5/27/30	F. Pfeiffer et al.	Camera for photographing the eyeball.
1,760,209	5/27/30	F. Pfeiffer	Refractometer for liquids.
1,764,870	6/17/30	H. Hartinger	Appliance for examination of the eyes.
1,775,916	9/16/30	R. Richter	Optical system for polaristrometers.
1,784,675	12/9/30	F. Meyer	Governor switch for electric motors.
1,786,916	12/30/30	W. Merte	Objective corrected spherically, chromatically, astigmatically, and for coma.
1,787,269	12/30/30	G. Hansen	Device for partial deflection of a conical pencil of imaging rays.
1,788,830	1/13/31	J. Grone	Tacheometric telescope.
1,790,926	2/3/31	A. König	Microscope objective.
1,791,276	2/3/31	A. König	Microscope objective.
1,792,617	2/17/31	W. Merte	Photographic objective.
1,793,428	2/17/31	A. König	Telescope with porro prism system.
1,794,419	3/3/31	R. Richter	Magnifier.
1,795,092	3/3/31	O. Moller	System of reversing prisms.
1,795,782	3/10/31	W. Bauersfeld et al.	Apparatus for testing light sense.
1,795,782	3/10/31	A. König	Direct vision, image-reversing prism system.
1,798,396	3/31/31	W. Bauersfeld et al.	Stereophotogrammetric measuring appliance.
1,807,613	6/2/31	W. Bauersfeld et al.	Microscope tube.
1,807,614	6/2/31	W. Bauersfeld et al.	Apparatus for episcopic projection.
1,821,391	9/1/31	R. Mechau	Device for ascertaining the opacity of blackened portions of photographic plates.
1,822,076	9/8/31	W. Bauersfeld et al.	Illuminating arrangement.
1,825,828	10/6/31	A. Sonnefeld	Photographic lens.
1,826,362	10/6/31	W. Merte	Photographic lens.
1,836,167	12/15/31	D. Helfer	Line mark for optical measuring instruments.

EXHIBIT A—Continued

EXHIBIT A—Continued

Patent No.	Patent date	Inventor	Title	Patent No.	Patent date	Inventor	Title
1,848,489	2/23/32	W. Bauersfeld et al.	Instrument for observing stereoscopic images.	1,975,029	10/2/34	W. Bauersfeld	Adjusting device for a pair of objectives of binocular microscopes.
1,849,681	3/15/32	W. Merte et al.	Photographic three-lens objective.	1,980,492	11/13/34	F. Meyer	Diaphragm restricting the image field in apparatus for projection with transmitted light.
1,851,192	5/31/32	W. Bauer	Coordinate transformer.	1,980,657	11/13/34	W. Bauersfeld	Apparatus for plotting maps from photographs.
1,854,576	6/25/32	W. Bauersfeld	Optical system.	1,983,328	12/4/34	O. Von Gruber et al.	Image-plate holding chamber for image-measuring devices.
1,855,977	7/5/32	A. Sonnenfeld	Contact glass.	1,983,356	12/4/34	H. Eisenhut	Device for signal purposes.
1,859,366	8/2/32	J. Dallos	Ophthalmic instrument.	1,985,061	12/18/34	E. Scheller	Measuring drum for screw micrometers.
1,877,258	9/13/32	H. Hartinger	Device for fine focusing of microscope tubes.	1,985,066	12/18/34	O. Von Gruber	Projection screen.
1,887,065	11/8/32	F. Henscheldt	Device for influencing by means of a ray projector a cell sensitive to light.	1,985,067	12/18/34	A. Wandersleb	Stereoscopic rangefinder for photographic purposes.
1,887,069	11/8/32	F. Kraft	Reversing prism system affording parallel vision.	1,985,072	12/18/34	W. Bauersfeld	Device for illuminating microscope objects with incident light.
1,887,115	11/8/32	G. Braun	Methods of making selenium coils.	1,985,073	12/18/34	W. Bauersfeld	Nose-piece for microscope objectives.
1,887,121	11/8/32	P. Dietzel	Telescope sight.	1,985,074	12/18/34	W. Bauersfeld	Illumination system.
1,891,348	12/20/32	P. Ellinger et al.	Disk-shaped piezo-electric oscillator.	1,985,075	12/18/34	O. Mackensen	Engraving machine.
1,892,131	12/27/32	M. Berger	Method and device for microscopically viewing living objects.	1,985,094	1/1/35	E. Wandersleb	Range finder for photographic purposes.
1,892,162	12/27/32	R. Richter	Microscope stand.	1,987,765	1/15/35	O. Eppenstein	Instrument for measuring parallel coordinates.
1,895,828	2/7/33	P. Nichterlein	Photographic three-lens objective.	1,987,773	1/15/35	F. Hauser	Microscope having a deviated path of imaging rays.
1,896,830	2/7/33	F. Schaff	Device for gauging bolt threads.	1,987,776	1/15/35	O. Meuser	Pendulum for gravity determination.
1,900,241	3/7/33	A. Koenig	Device for influencing by means of a ray projector a cell sensitive to light.	1,987,786	1/22/35	F. Meyer	Diaphragm system for microscope condensers.
1,904,139	4/18/33	W. Henkel et al.	Reversing prism system affording parallel vision.	1,988,862	1/22/35	W. Bauersfeld et al.	Mirror for astronomical purposes.
1,905,070	4/20/33	A. Steinbeil	Methods of making selenium coils.	1,991,997	2/19/35	W. Bauersfeld et al.	Device for connecting an illumination apparatus to a microscope.
1,905,672	5/20/33	H. Straubel	Telescope sight.	1,991,998	2/19/35	H. Beck	Negative electrode for high current arc lamps.
1,911,865	6/30/33	W. Hirschhof	Disk-shaped piezo-electric oscillator.	1,993,920	4/9/35	F. Henscheldt	Instrument for testing the pitch of threads.
1,915,450	7/18/33	H. Hirschhof	Revolving stage piece for microscopes.	1,998,216	4/15/35	W. Bauersfeld	Microscope stage.
1,918,556	7/18/33	A. Koenig	Instrument for measuring instruments.	1,999,236	4/30/35	G. Hess	Instrument for plotting maps from photographs.
1,921,647	8/18/33	W. Bauersfeld et al.	Image plate holding chamber for apparatus for measuring photographs.	1,999,237	5/7/35	P. Kraft et al.	Dark-field condenser for microscopes.
1,921,971	8/8/33	F. Fertsch et al.	Contact glass.	2,000,737	5/7/35	W. Bauersfeld	Microscope stand.
1,921,972	8/8/33	K. Gundlach	Contact glass.	2,000,768	5/7/35	R. Lincke	Method of making contact glasses for eyes.
1,922,634	8/15/33	K. Gundlach	Method of indexing glass photomechanically.	2,004,225	6/11/35	A. Stehle	Instrument for testing the pitch of threads.
1,927,854	9/26/33	R. Straubel	Device for illuminating microscopic objects.	2,004,225	6/11/35	R. Richter	Optical system for instruments reproducing sounds with the aid of light.
1,935,923	11/28/33	K. Traenkle	Half shade polarizer.	2,010,301	8/6/35	D. Heller	Device for examining the diameter of bores.
1,943,808	1/16/34	W. Bauersfeld et al.	Instrument for rapid examination of transparent microscopic preparations.	2,013,165	9/3/35	F. Meyer	Measuring device.
1,943,809	1/16/34	W. Bauersfeld et al.	Apparatus for illuminating microscopic objects.	2,014,161	9/10/35	W. Bauersfeld	Substrate for microscopic condensers and the like.
1,943,810	1/16/34	W. Bauersfeld et al.	Device for light-field and dark-field illumination of microscopic objects.	2,014,188	9/10/35	F. Pfeiffer et al.	Apparatus for taking series of photographs.
1,943,811	1/16/34	W. Bauersfeld	Apparatus for projecting luminous dashes and dots on a dark ground.	2,014,338	9/17/35	G. Reiner	Photographic camera.
1,943,833	1/16/34	M. Hubschmann	Object stage for projection apparatus.	2,014,574	9/17/35	W. Merte	Pillar bracket for monobinocular microscopes.
1,943,854	1/16/34	R. Richter	Quartz plate for half-shade polarimeters.	2,015,491	9/24/35	H. Hartinger	Photographic objective having an iris diaphragm.
1,951,635	3/20/34	R. Straubel	Dark-field condenser for microscopes.	2,016,780	10/7/35	K. Buttner	Instrument for examining convexly curved surfaces.
1,951,636	3/20/34	H. Martin	Illuminating device for microscopes.	2,026,374	12/31/35		Supporting gage-plate for the measurement of dimensions of bodies bounded by parallel surfaces.
1,951,696	3/20/34	A. Koenig	Device maintaining automatically the frequency of an oscillator.	2,029,806	2/4/36	L. Bertele	Objective.
1,952,759	3/27/34	H. Straubel	Piezo-electric oscillator.	2,031,792	2/25/36	F. Richter	Anastigmatic objective for photography and projection.
1,957,299	5/1/34	K. Kuhne	Instrument for determining the diameter of bodies with curved surfaces.	2,034,096	3/17/36	R. Mechnau	Linear guide.
1,959,337	5/22/34	E. Langenhagen et al.	Prismatic telescope with right-angled isosceles reflecting prisms.	2,034,110	3/17/36	G. Calow	Photoelectric cell.
1,960,538	5/22/34	R. Sauer	Polarization photometer.	2,036,457	5/5/36	A. Tschernak-Seysenegg	Spectroscopic monochromator.
1,960,549	5/22/34	W. Schaubert	Device for testing the positions of the driving shafts of locomotives.	2,036,458	5/5/36	C. Buchele et al.	Microscope objective.
1,960,554	5/28/34	H. Siedentopf	Illumination device for microscopes.	2,036,680	9/29/36	O. Eppenstein	Optical device for the examination of axial directions and the like.
1,961,601	6/5/34	A. Schindler	Biprism for spectroscopes.	2,036,684	9/29/36	C. Prinz	Thermistat device controlling the correct position of a source of radiation.
1,961,602	6/5/34	H. Von Karstner	Device for controlling a movable machine part.	2,037,178	12/8/36	W. Merte	Photographic objective.
1,964,188	6/26/34	W. Bauersfeld	Microscope.	2,038,829	1/29/37	L. Van Albeda	Reducing telescope view finder for photographic cameras.
1,964,209	6/26/34	W. Bauersfeld	Instrument for rapid examination of transparent microscopic preparations.	2,038,830	2/9/37	R. Richter	Micro-manipulator.
1,964,712	7/5/34	L. Van Albeda	Range finders for photographic purposes.	2,038,831	2/9/37	O. Von Gruber	Device for illuminating microscopic objects.
1,964,967	7/5/34	F. Montauti	Optical instrument for determining the gun firing and torpedo launching data.	2,038,832	2/9/37		Camera bearing in apparatus for photogrammetrically plotting oblique photographs taken from aircraft.
1,965,596	7/5/34	W. Bauersfeld	Ocular tube attachment for monocular microscopes.	2,038,833	2/9/37	C. Traenkle	Roll-film magazine.
1,966,784	7/17/34	C. Schotte	Balloon theodolite.	2,038,834	2/9/37	C. Traenkle	Reflecting system for objectives of reproduction cameras.
1,967,836	7/24/34	W. Merte	Photographic lens.	2,038,835	2/9/37	K. Papello	Curved tooth for bevel gear wheels.
1,968,011	7/31/34	H. Beck	Ignition device for high-power arc lamps.	2,038,836	2/9/37	M. Bueckhardt	Canonized gear.
1,968,202	7/31/34	G. Hansen	Refractometer.	2,038,837	2/9/37	C. Hermann	Polarization device for cameras.
1,968,722	7/31/34	R. Richter	Converging achromatic eyepiece.	2,038,838	2/9/37	S. Huber	Photographic objective.
1,968,723	7/31/34	H. Sonnenberger	Control device for following mechanisms.	2,038,839	2/9/37	W. Merte	Photographic objective.
1,968,724	7/31/34	R. Castondijk	Device for giving luminous signals, particularly adapted for aviation purposes.	2,038,840	2/9/37	K. Papello	Device for transmitting electric currents.
1,969,246	8/7/34	W. Bauersfeld	Microscope having an inclined ocular tube and a revolving nose piece.	2,038,841	2/9/37	W. Kern	Stereophotogrammetric plotting apparatus.
1,970,728	8/21/34	F. Hanser et al.	Microscope for examining the profiles of surfaces.	2,038,842	2/9/37	E. Franke	Electrode feeding mechanism for arc lamps.
1,973,060	9/11/34	L. Van Albeda	Finder for photographic cameras.	2,038,843	2/9/37	S. Huber	Cam follower mechanism.
1,975,302	10/2/34			2,038,844	2/9/37	W. Merte	Photographic objective.

EXHIBIT A—Continued

Patent No.	Patent date	Inventor	Title
2,141,884	12/27/38	A. Sonnefeld	Photographic objective.
2,143,601	3/7/39	H. Grubbrandson	Binocular viewing device for stereophotogrammetric instruments.
2,152,369	3/28/39	O. Von Gruber	Apparatus for plotting the site plan for a landscape.
2,158,107	4/18/39	H. Konig	Instruments for the examination of eyes.
2,168,499	8/16/39	A. Richter	Telescope objective.
2,170,857	8/22/39	H. Richter	Four-lens photo-objective.
2,171,874	8/22/39	H. Richter	Projecting apparatus.
2,171,875	8/22/39	H. Richter	Telephotographic objective.
2,171,876	8/22/39	H. Richter	Optical instrument.
2,171,877	8/22/39	H. Richter	Single station range finder with variable base.
2,171,878	8/22/39	H. Richter	Splithalmometer.
2,171,879	8/22/39	H. Richter	Emission type phototube.
2,171,880	8/22/39	H. Richter	Reflecting system having two planar reflecting surfaces.
2,171,881	8/22/39	H. Richter	Light modulating system.
2,171,882	8/22/39	H. Richter	Microscope objective.
2,171,883	8/22/39	H. Richter	Device for illuminating microscopic objects.
2,171,884	8/22/39	H. Richter	Telescope eyepiece.
2,171,885	8/22/39	H. Richter	Apparatus for producing electric sparks for use in spectrum analysis.
2,171,886	8/22/39	H. Richter	Microscope.
2,171,887	8/22/39	H. Richter	Apparatus for subjective examination of blood.
2,171,888	8/22/39	H. Richter	Helmholtz testing instrument.
2,171,889	8/22/39	H. Richter	Telescope eyepiece.
2,171,890	8/22/39	H. Richter	Apparatus for preparing a film strip for the inspection of a series of consecutive impressions of light on the sensitive layer of same.
2,171,891	8/22/39	H. Richter	Electrode feeding mechanism for arc lamps.
2,171,892	8/22/39	H. Richter	Trichromatic colorimeter.
2,171,893	8/22/39	H. Richter	Reflecting system for deviating a convergent pencil of imaging rays.
2,171,894	8/22/39	H. Richter	Photographic teleobjective.
2,171,895	8/22/39	H. Richter	Sextant.
2,171,896	8/22/39	H. Richter	Anastigmatic photographic objective.
2,171,897	8/22/39	H. Richter	Refractometer for liquids.
2,171,898	8/22/39	H. Richter	Illumination device for spherical levels.
2,234,274	3/11/41	K. Prinz	
2,234,275	3/11/41	N. Richter	
2,234,403	3/25/41	N. Richter	
2,239,558	4/22/41	R. Richter	
2,240,539	4/22/41	O. Schmidt et al.	
2,247,068	6/24/41	R. Richter	
2,268,139	12/30/41	G. Hansen	
2,270,163	1/13/42	M. Drodofsky et al.	

EXHIBIT B

Patents the titles to which stand of record in the United States Patent Office in the name of Zeiss Ikon, A. G., and which are identified as follows:

Patent No.	Patent date	Inventor	Title
1,573,314	2/16/26	E. Goldberg et al.	Enlarging camera.
1,667,110	4/24/28	E. Goldberg et al.	Film box.
1,704,189	3/2/29	E. Goldberg et al.	Motion-picture camera driven by a spring mechanism.
1,747,705	2/15/30	E. Goldberg et al.	Film-feeding device.
1,750,401	3/11/30	E. Goldberg et al.	Cinematograph camera with clockwork driving mechanism.
1,759,307	5/20/30	E. Goldberg et al.	Ball-shaped reflector for illuminating show windows.
1,789,679	1/20/31	E. Goldberg et al.	Cinematographic cameras.
1,802,598	4/28/31	E. Goldberg et al.	Film magazine.
1,804,500	5/12/31	E. Goldberg et al.	Film box.
1,830,402	11/3/31	E. Goldberg et al.	Distance releasing device for moving picture cameras driven by a spring mechanism.
1,839,454	12/12/31	E. Buss	Oscillograph.
1,864,883	7/3/34	M. Nowicki et al.	Distance meter and finder for photographic cameras.
1,868,002	7/24/34	M. Nowicki et al.	Distance meter, especially for photographic cameras.
1,773,213	9/11/34	R. Klap	Photographic camera with finder.
2,014,137	9/10/35	R. Klap	Photographic camera.
2,025,232	12/31/35	H. Joachim	Sound-on film recording or reproducing apparatus.
2,031,321	2/18/36	H. Kuppenbender	Photographic camera.
2,032,061	2/23/36	H. Kuppenbender	Photographic camera.
2,035,086	10/20/36	H. Kuppenbender	Photographic camera.
2,070,664	2/16/37	H. Kuppenbender	Photographic exposure meter.
2,084,309	6/22/37	L. Bertle	Photographic lens system.

EXHIBIT B—Continued

Patent No.	Patent date	Inventor	Title
2,084,618	6/22/37	H. Kuppenbender	Photoelectric exposure meter.
2,084,709	6/22/37	H. Kuppenbender	Photoelectric exposure meter.
2,090,387	8/17/37	P. Gorlich	Photographic camera.
2,090,390	8/17/37	P. Gorlich	Exposure meter.
2,091,702	9/28/37	H. Kuppenbender et al.	Roll film camera.
2,094,072	11/9/37	H. Kuppenbender et al.	Target practicing device.
2,098,873	12/7/37	G. Henkel	Photographic camera.
2,101,543	1/4/38	H. Nerwin	Photographic camera.
2,106,884	2/15/38	H. Kuppenbender	Photographic camera.
2,108,751	3/15/38	H. Kuppenbender	Photographic device.
2,111,096	4/19/38	P. Gorlich	Photoelectric tube.
2,114,488	5/10/38	H. Joachim	Exposure meter.
2,117,004	5/17/38	H. Kuppenbender	Photographic camera.
2,117,428	5/17/38	H. Kuppenbender	Camera.
2,117,429	5/17/38	H. Kuppenbender	Indicator device.
2,119,235	6/7/38	H. Illgen	Light sensitive tube.
2,120,100	7/5/38	P. Gorlich	Photographic camera.
2,122,860	7/5/38	P. Gorlich	Analyzer.
2,122,865	7/5/38	P. Gorlich	Photographic shutter.
2,125,908	8/9/38	F. Schieber et al.	Film spool for photographic cameras.
2,134,766	11/13/38	H. Nerwin	Photographic printing apparatus.
2,137,502	11/22/38	P. Dautenberg	Condenser lens system.
2,138,445	12/20/38	L. Bertle	Photoelectrically responsive layer.
2,140,979	12/20/38	P. Gorlich	Lens system.
2,140,984	12/20/38	L. Bertle	Exposure meter.
2,141,733	12/27/38	H. Sauer et al.	Polarizing filter structures.
2,142,657	1/3/39	H. Bartels	Roll film camera.
2,145,914	2/7/39	H. Kuppenbender	Cathode ray tube.
2,147,269	2/28/39	M. Pike	Filter attaching means for photographic cameras.
2,149,101	3/14/39	H. Kuppenbender	Secondary electron multiplier.
2,150,626	3/14/39	M. Pike et al.	Photographic camera.
2,150,632	3/14/39	C. Wachtler	Motion picture projector.
2,151,642	3/14/39	K. Hofmann	Photoelectric exposure meter.
2,153,328	5/9/39	O. Fischer	Picture-translating tube.
2,157,660	5/23/39	M. Pike	Image dissector tube.
2,159,368	5/30/39	M. Pike	Stereoscopic instrument.
2,160,672	6/1/39	H. Sauer et al.	Photographic camera.
2,168,273	8/1/39	H. Frotscher	Photographic camera.
2,169,688	8/15/39	H. Bartels et al.	Means for photoelectrically scanning balanced sound records.
2,170,899	8/29/39	G. Chausson	Photoelectric cathode.
2,170,902	8/29/39	G. Chausson	Photoelectric tube.
2,172,414	9/15/39	P. Gorlich	Photographic camera.
2,172,415	9/15/39	P. Gorlich	Photographic camera.
2,172,843	9/15/39	H. Kuppenbender et al.	Photographic camera.
2,173,679	10/12/39	H. Nerwin	Cathode ray tube screen.
2,175,451	12/1/39	M. Pike	Photographic camera.
2,182,528	12/1/39	K. Faber et al.	Photographic camera.
2,183,123	1/9/40	H. Kuppenbender	Illuminating system.
2,185,545	1/9/40	H. Kuppenbender	Schooling device for airplane pilots.
2,186,621	1/9/40	P. Gorlich	Lens system.
2,186,636	1/9/40	O. Vierling	Cathode ray tube.
2,186,942	1/16/40	H. Sauer	Process of making photographs.
2,187,057	1/16/40	H. Sauer	Process of producing a photoelectric tube.
2,187,234	1/16/40	H. Hintze et al.	Photoelectric pressure indicator.
2,190,713	2/20/40	H. Kuppenbender	Polarizer.
2,190,718	2/20/40	H. Nerwin	Photographic camera.
2,190,729	2/20/40	H. Sauer et al.	Exposure meter.
2,191,414	2/20/40	H. Sauer et al.	Polarizing filter attachments.
2,197,104	4/16/40	H. Sauer et al.	Photographic camera.
2,199,715	5/7/40	H. Sauer	Filter for the photography and projection of colored pictures.
2,208,027	7/16/40	P. Gorlich	Photoelectric exposure meter.
2,209,159	7/23/40	P. Gorlich et al.	Cathode ray tube.
2,216,842	10/8/40	P. Gorlich et al.	Glow cathode for cathode ray tubes.
2,216,860	10/8/40	W. Pistor et al.	System for making and projecting stereo films.
2,219,113	10/22/40	N. Pike	Method of electron-microscopically investigating subjects.
2,222,892	11/19/40	P. Gorlich	Photoelectric exposure meter.
2,228,965	12/3/40	H. Nerwin	Shutter for photographic cameras.
2,234,806	3/11/41	M. Pike	Method of electronoptically enlarging images.

EXHIBIT C

Patents the titles to which stand of record in the United States Patent Office in the name of Zeiss Ikon A. G. Dresden, and which are identified as follows:

Patent No.	Patent date	Inventor	Title
1,713,277	5/14/29	E. Goldberg et al.	Film-spool construction.
1,779,468	10/28/30	E. Goldberg et al.	Cinematographic camera.
1,821,515	9/1/31	K. Hoffmann et al.	Device for protecting films against ignition.
1,879,864	9/27/32	W. Winzenburg	Portable sound film box.
1,978,203	9/11/34	E. Goldberg	Nipkow disk for television.
1,975,677	10/2/34	L. Bertele	Objective.
1,975,678	10/2/34	L. Bertele	Objective.
1,998,704	4/23/35	L. Bertele	Photographic objective.
2,010,268	8/6/35	H. Kuppenbender	Combined photographic camera and distance meter.
2,015,314	9/24/35	H. Kuppenbender et al.	Mirror basis distance meter with view finder.
2,023,838	12/10/35	H. Kuppenbender et al.	Combined distance meter and view finder.
2,036,584	4/7/36	H. Kuppenbender	Driving mechanism for talking film apparatus.
2,037,513	4/14/36	H. Kuppenbender	Photographic camera.
2,040,050	5/5/36	H. Kuppenbender	Combined photographic camera and distance meter.
2,065,335	12/22/36	H. Kuppenbender	Combined photographic camera and distance meter.
2,107,829	2/8/38	H. Kuppenbender	Photographic camera.

EXHIBIT D

Patents which are identified as follows and the titles to which stand of record in the United States Patent Office in the names of the persons indicated, respectively:

Patent No.	Date	Record owner	Inventor	Title
1,556,994	10/13/25	Optische Anstalt C. P. Goerz A. G.	H. Jacob	Aiming device with optical reflecting system for moving stations.
1,561,858	11/17/25	Optische Anstalt C. P. Goerz A. G.	H. Jacob	Binocular.
1,573,999	2/23/26	Optische Anstalt C. P. Goerz A. G.	R. Richter	Teleobjective.
1,684,394	9/18/28	Werbelicht A. G.	M. Haase	Sign controller.
1,705,972	3/19/29	H. Hanemann	H. Hanemann	Production of gray cast iron.
1,707,038	3/26/29	Zeiss Ikon A. G. Goerzwerk	W. Bauersfeld	Street-illuminating apparatus.
1,726,348	8/27/29	Werbelicht A. G.	M. Haase	Switch device for the production of luminous signs.
1,770,726	7/15/30	Zeiss Ikon A. G. Goerzwerk	W. Bauersfeld	Bell-shaped illuminating device.
1,772,745	8/12/30	Zeiss Ikon A. G. Goerzwerk	W. Bauersfeld	Reflector for illuminating streets and the like.
1,772,774	8/12/30	I C A, Aktiengesellschaft	E. Goldberg	Cinema camera.
1,898,070	2/21/33	M. Ulrich	M. Ulrich	Apparatus for making water drums of water-tube boilers.
1,913,417	6/13/33	M. Ulrich	M. Ulrich	Undulated tube and method of making the same.
1,931,242	10/17/33	M. Ulrich	M. Ulrich	Apparatus for making headers for water tube boilers.
1,966,981	7/17/34	Zeiss Ikon A. G. Goerz-Werk	H. Jacob	Meter.
2,060,613	11/10/36	Ehrhard Henke	P. Dautzenberg	Focusing adjustment for cameras by means of the finder.
2,100,740	11/30/37	Klangfilm, G. m. b. H.	R. Gorisch	Method of making variable area sound film with low background noise.
2,222,373	11/19/40	Wanderer-Werke vorm. Winklhofer & Jaenicke Akt.-Ges.	H. Rauh	Calculating machine.
2,226,777	12/31/40	O. Buromaschinenfabrik A. G.	H. Martin	Means for fastening machine elements on a shaft.
Des. 88,298	11/15/32	Zeiss Ikon A. G. Goerz-Werk	H. Jacob	Table barometer.

[F. R. Doc. 42-10222; Filed, October 12, 1942; 10:50 a. m.]

[Vesting Order 197]

3,211 SHARES OF THE CAPITAL STOCK OF CENTRAL AMERICAN PLANTATIONS CORPORATION

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended,¹ and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

(a) 1,222 shares (which, together with the 1,989 shares referred to in subparagraph (b) and the 12,152 shares vested by the undersigned pursuant to Vesting Order Number 104 issued under date of August 17, 1942, constitute a substantial part of the outstanding capital stock) of \$100 par value common capital stock of Central American Plantations Corporation, a Delaware corporation, which is a business enterprise within the United States, registered in the name of Atlantic Assets Corporation, New York, New York, and held by the latter as nominee under a trust

¹ 7 F.R. 1971.

agreement dated October 1, 1933, with Hugo Stinnes, a national of Germany; and

(b) 1,989 additional shares of similar stock of the aforesaid Central American Plantations Corporation, which shares are registered in the name of said Atlantic Assets Corporation and held for the benefit of Heinrich A. Schiubach Gesamtgut of Germany,

is property of nationals and represents an interest in said business enterprise which is a national, of a designated enemy country (Germany), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of said designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, adminis-

tered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in Section 10 of said Executive Order.

Executed at Washington, D. C. on September 29, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-10223; Filed, October 12, 1942; 10:50 a. m.]

[Vesting Order 211]

0.057% OF CAPITAL STOCK OF GOSHO CONCENTRATION & COMPRESS COMPANY

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended,¹ and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

2 shares (which, together with the 3,398 shares vested by the undersigned pursuant to Vesting Order Number 57 of July 23, 1942, and the 100 shares vested by the undersigned pursuant to Vesting Order Number 188 of September 28, 1942, constitute all of the outstanding shares) of the capital stock of Gosho Concentration & Compress Company, a Texas Corporation, Galveston, Texas, which is a business enterprise within the United States, the names of the registered owners of which, and the number of shares owned by them respectively, are as follows:

Names	Number of shares
Sherwood Brown holding for the benefit of Gosho Concentration & Compress Company	1
N. L. Edmonson holding for the benefit of Gosho Concentration & Compress Company	1
Total	2

is property of said business enterprise which was found in the aforesaid vesting orders to be a national of a designated

¹ 7 F.R. 1971.

enemy country (Japan), and determining that to the extent that such national is a person not within a designated enemy country the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission to the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on October 3, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-10224; Filed, October 12, 1942;
10:51 a. m.]

[Vesting Order 212]

1.27% OF CAPITAL STOCK OF GOSHO COMPANY, INC.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended,¹ and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

95 shares of \$100 par value common capital stock of Gosho Company, Inc., a Texas Corporation, Galveston, Texas, which is a business enterprise within the United States, which 95 shares represent 1.27% of the outstanding capital stock of said company, of which 7,405 shares, or 93.73%, were vested by the undersigned pursuant to Vesting Order Number 87 issued by him under

¹ 7 F.R. 1971.

date of July 31, 1942, the names and last known addresses of the registered owners of which 95 shares, and the number of shares owned by them respectively, are as follows:

Names and last known address	Number of shares
K. Sugimoto, Japan.....	43
S. Bando, Japan.....	50
Sherwood Brown, holding for the benefit of Gosho Company, Inc., Galveston, Tex.....	1
G. W. Talley, holding for the benefit of Gosho Company, Inc., Galveston, Tex.....	1
Total.....	95

is property of nationals, and represents an interest in said business enterprise which is a national, of a designated enemy country (Japan), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country such persons are controlled by or acting for or on behalf of or as cloaks for a designated enemy country (Japan) or a person within such country, and the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation

will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on October 3, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-10225; Filed, October 12, 1942;
10:51 a. m.]

[Vesting Order 174]

THREE NAVY DEPARTMENT AWARDS

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

Those certain awards of the United States Navy Department for the value of the items of property hereinafter listed which under the authority of the Act of October 10, 1940 (54 Stat. 1090) were requisitioned by the Navy Department from the locations listed, and pursuant to the Naval Requisition Orders numbered, respectively, as follows:

Items of property	Locations	Naval requisition order numbers
(a) 205 pigs of tin consigned for export to Intercontinentale A. G., Nador Uoca 30, Budapest, Hungary.	Storage at Charles & Greenwich Stores, Inc., 480 Montgomery Street, Jersey City, N. J.	25
(b) 8 cases of pumps and parts consigned for export to Cantieri Rinniti dell' Adriatico, Trieste, Italy.	SS AUSSA, Hoboken, N. J.	50
(c) 3,536 cobalt steel drills.	Possession of Gizo Uyeno, a Japanese national, while he was illegally transporting them out of the United States.	40

is property which is in "condemnation or other similar proceedings" within the meaning of section 2 (f) of Executive Order No. 9095, as amended, and which is payable or deliverable to, or claimed by, nationals of designated enemy countries (Hungary, Italy and Japan, in the cases of that hereinbefore described in subparagraphs (a), (b) and (c), respectively, and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of the respective

designated enemy countries hereinbefore specified, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determina-

tion of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on September 28, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-10290; Filed, October 13, 1942;
11:31 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 5 Under Revised Price Schedule 20,
as Amended—Copper Scrap and Copper
Alloy Scrap—Docket 3020-8]

ALLOYS AND PRODUCTS, INC.

ORDER GRANTING EXCEPTION

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1309.71 (i) (4) of Revised Price Schedule No. 20, as amended—Copper Scrap and Copper Alloy Scrap, *It is hereby ordered:*

(a) Alloys and Products, Incorporated of New York, New York, may pay and any person may charge Alloys and Products, Incorporated of New York, New York, the premiums for No. 1 copper wire, No. 1 tinned copper wire, No. 1 heavy copper or No. 2 copper wire or mixed heavy copper in briquettes provided for in § 1309.71 (f) (1) (i) of Revised Price Schedule No. 20, as amended.

(b) The terms used in this order No. 5 shall have the meaning given to them by Revised Price Schedule No. 20, as amended.

(c) This Order No. 5 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 5 shall become effective October 13, 1942.

Issued this 12th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10228; Filed, October 12, 1942;
11:54 a. m.]

[Order 1 Under Maximum Price Regulation
228—Flue Cured Tobacco—Docket 3228-1]

BROWN & WILLIAMSON TOBACCO CORP.

ORDER GRANTING ADJUSTMENT

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) During the period from August 31, 1942 to February 28, 1943, inclusive, the weighted average price per pound paid by Brown & Williamson Tobacco Corporation for flue-cured tobacco shall not exceed 40.36 cents per pound.

(b) The adjustment granted to Brown & Williamson Tobacco Corporation in paragraph (a) is subject to the condition that it shall comply in all respects with the provisions of Maximum Price Regulation No. 228—Flue-cured Tobacco, other than the provisions contained in § 1358.52 thereof.

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 1 shall become effective October 12, 1942.

Issued this 12th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10262; Filed, October 12, 1942;
4:27 p. m.]

[Order 22 Under Maximum Price Regulation
122—Solid Fuels Delivered From Facilities
Other Than Producing Facilities—Deal-
ers—Docket 3122-16]

CONSUMERS COAL COMPANY

ORDER GRANTING ADJUSTMENT

Correction

In paragraph (b) (i) of the order appearing on page 7820 of the issue for October 2, 1942, the reference to "§ 1340.361" should read "§ 1340.261."

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-611]

ASSOCIATED ELECTRIC COMPANY AND LOUISIANA PUBLIC UTILITIES CO., INC.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 10th day of October, 1942.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Associated Electric Company, a registered holding company, and Louisiana Public Utilities Co., Inc., a wholly owned subsidiary thereof. All interested persons are referred to said document, which is on file in the office

of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Associated Electric Company, a subsidiary of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, a registered holding company, proposes to divest itself of its entire interest in Louisiana Public Utilities Co., Inc., to D. Gordon Rupe, Jr., G. C. Hyde, and R. A. Ritchie, all of Dallas, Texas, for a cash consideration of \$3,000,000.

The securities and other indebtedness proposed to be sold consisted, as of September 22, 1942, of the following:

11,000 shares of Common Stock, no par value;
\$2,892,000.00 principal amount First Mortgage Gold Bonds, Series B, 6% due December 1, 1945;
\$1,431,884.49 principal amount 6% Open Account Indebtedness (interest payable when, as and if earned).

Associated Electric Company also proposes, as a necessary step in effecting the sale of its interests in Louisiana, to acquire from Louisiana 1,010 shares of capital stock of Atlantic Utility Service Corporation for a cash consideration of \$1.00.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to said matters, that said declaration shall not become effective nor said application be granted, except pursuant to further order of this Commission;

It is ordered, That a hearing on such matters, under the applicable provisions of said Act and rules of the Commission thereunder, be held on October 27, 1942, at 10 a. m. in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in room 318 will advise as to the room in which such hearing will be held. At such hearing cause shall be shown why such declaration or application (or both) shall become effective or shall be granted. Notice is hereby given of said hearing to the above named declarants and applicants and to all interested persons, said notice to be given to said declarants and applicants by registered mail and to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That Charles S. Lobingier, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That, without limiting the scope of issues presented by said declaration or application (or both) otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the consideration to be received from the sale of the securities of

Louisiana Public Utilities Co., Inc., is fair and reasonable, and how such consideration was determined;

2. Whether the sale of the securities of Louisiana Public Utilities Co., Inc., by Associated Electric Company meets the requirements of section 12 (d) of the Act and Rule U-44 of the General Rules and Regulations;

3. Whether the proposed sale of securities of Louisiana Public Utilities Co., Inc., should be exempt from the competitive bidding requirement of Rule U-50;

4. Whether terms and conditions are necessary to be imposed to insure compliance with the requirements of the Public Utility Holding Company Act of 1935 or any rules, regulations or orders promulgated thereunder;

5. Specifically, whether the public interest or the interest of investors, or other applicable standards of the Act requires that prior to, or in connection with, any such disposition of the Securities of Louisiana Public Utilities Co., Inc., steps should be taken toward the simplification of the corporate structure of Louisiana Public Utilities Co., Inc.;

6. Specifically, whether the public interest or the interest of investors, or other applicable standards of the Act, requires that prior to, or in connection with, any such disposition of the securities of Louisiana Public Utilities Co., Inc., steps should be taken to restate the plant and property accounts, depreciation or retirement reserve, or other accounts of Louisiana Public Utilities Co., Inc.;

7. Generally, whether all actions proposed to be taken comply with the requirements of such Act or rules, regulations or orders promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-10206; Filed, October 12, 1942;
9:52 a. m.]

WM. FILENE'S SONS CO.

[File No. 1-165]

ORDER GRANTING APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 9th day of October, A. D., 1942.

In the matter of Wm. Filene's Sons Company, common stock, no par value.

The New York Stock Exchange pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the Common Stock, No Par Value, of Wm. Filene's Sons Company; and

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective

at the close of the trading session on October 19, 1942.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-10208; Filed, October 12, 1942;
9:55 a. m.]

[File No. 70-608]

INTERNATIONAL UTILITIES CORPORATION

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 9th day of October, A. D. 1942.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above-named party; and

Notice is further given that any interested person may, not later than October 23, 1942, at 5:30 p. m., E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia, Pennsylvania.

All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

International Utilities Corporation, a registered holding company, proposes to pay out of capital or unearned surplus a regular quarterly dividend on its \$3.50 Prior Preferred Stock at the rate of 87½¢ per share on the 98,966 shares of such stock presently outstanding. The aggregate amount of this dividend will be \$86,595.25.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-10210; Filed, October 12, 1942;
9:55 a. m.]

SAM B. RAITMAN

FINDINGS AND ORDER REVOKING REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 9th day of October, A. D. 1942.

In the Matter of Sam B. Raitman, Olney Trust & Bank Building, Olney, Illinois.

Sam B. Raitman, hereinafter called the registrant, being registered with the

Commission as an over-the-counter broker-dealer pursuant to Section 15 of the Securities Exchange Act of 1934;

The commission having issued an order stating that information had been reported to it tending to show that the registrant was convicted on or about March 9, 1942, of a felony involving the purchase and sale of securities, and setting a hearing on the question whether his registration as an over-the-counter broker-dealer should be suspended or revoked;

A hearing having been held after due notice; and the commission having duly considered the matter and being fully advised in the premises, and having found that the said Sam B. Raitman was convicted on March 9, 1942, by the United States District Court for the Southern District of New York of a felony involving fraud in the purchase and sale of securities, and that revocation of his registration is in the public interest;

It is ordered, Pursuant to section 15 (b) of the Securities Exchange Act of 1934, that the registration of the said Sam B. Raitman as an over-the-counter broker-dealer be, and the same hereby is, revoked.

By the Commission (Chairman Purcell, and Commissioners Healy, Pike, and O'Brien), Commissioner Burke being absent and not participating.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-10209; Filed, October 12, 1942;
9:55 a. m.]

[File No. 31-485]

ROCHESTER TRANSIT CORPORATION

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 10th day of October, 1942.

Rochester Transit Corporation, a corporation organized and existing under the laws of the State of New York, having filed an application pursuant to section 2 (a) (8) of the Public Utility Holding Company Act of 1935, for an order declaring itself and all of its subsidiaries not to be subsidiary companies of Associated Gas and Electric Company and Associated Gas and Electric Corporation, registered holding companies, and of Shinn & Company, a subsidiary of the latter two companies; and

It appearing to the Commission that it is appropriate and in the public interest, and interest of investors and consumers, that a hearing be held with respect to said matter;

It is ordered, That a hearing on such application be held on November 16, 1942, at 10:00 o'clock in the forenoon of that day, at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held. At such hearing cause shall be shown why such application should be granted.

It is further ordered, That Willis E. Monty, or any other officer or officers of the Commission designated by it for that purpose, shall preside at any such hearing and is hereby authorized to exercise all powers granted to the Commission under Section 18 (c) of the Act and to a trial examiner under the Commission's Rules of Practice.

Notice of such hearing is hereby given to the applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard in this proceeding shall file a request to that effect with the Secretary of the Commission on or before November 9, 1942, as provided by Rule XVII of the Commission's Rules of Practice.

It is further ordered, That, without limiting the scope of the issues presented by said application, particular attention will be directed at such hearing to the following matters and questions:

1. Whether Rochester Transit Corporation is controlled directly or indirectly by Associated Gas and Electric Company, Associated Gas and Electric Corporation or Shinn & Company (either alone or pursuant to an arrangement or understanding with one or more other persons) either through one or more intermediary persons or by any means or device whatsoever.

2. Whether Rochester Transit Corporation is an intermediary company through which such control of another company is exercised.

3. Whether the management or policies of Rochester Transit Corporation are subject to a controlling influence, directly or indirectly, by Associated Gas and Electric Company, Associated Gas and Electric Corporation, or Shinn & Company (either alone or pursuant to an arrangement or understanding with one or more other persons) so as to make it necessary or appropriate in the public interest or for the protection of investors or consumers that Rochester Transit Corporation be subject to the obligations, duties and liabilities imposed by the Act upon subsidiary companies of holding companies.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-10205; Filed, October 12, 1942;
9:52 a. m.]

[File No. 70-540]

TRI-CITY UTILITIES CO.

ORDER MODIFYING CONDITIONS AND GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 9th day of October, 1942.

In the matter of Tri-City Utilities Company, successor in interest herein to Kentucky-Tennessee Light and Power Company, and Kentucky Utilities Company.

Applications and declarations, and amendments thereto, having been filed with this Commission by Tri-City Utilities Company, a subsidiary of Associated Electric Company, a registered holding company, and Kentucky Utilities Company, a registered holding company and a subsidiary of The Middle West Corporation, a registered holding company, pursuant to sections 10 and 12 (d), and Rule U-44 thereunder, of the Public Utility Holding Company Act of 1935, regarding the sale and exchange of certain electric public utility properties; and

The Commission having by order dated August 17, 1942, granted the applications and permitted the declarations to become effective, subject to the terms and conditions prescribed in Rule U-24; and

Tri-City Utilities Company and Kentucky Utilities Company having requested that the said conditions be modified to the extent necessary to extend the time within which the transactions as set forth in the applications and declarations may be made to December 17, 1942;

It is ordered, That the conditions contained in the order of August 17, 1942, be and hereby are modified to the extent necessary to extend the time within which such transactions may be made to December 17, 1942.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.
[F. R. Doc. 42-10207; Filed, October 12, 1942;
9:53 a. m.]

[File No. 70-607]

VIRGINIA ELECTRIC AND POWER CO.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 10th day of October 1942.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Virginia Electric and Power Company; and

Notice is further given that any interested person may, not later than October 23, 1942 at 5:30 p. m., E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia, Pennsylvania.

All interested persons are referred to said declaration or application, which is on file in the office of said Commission,

for a statement of transactions therein proposed which are summarized as follows:

Virginia Electric and Power Company, a subsidiary company of Engineers Public Service Company, a registered holding company, proposes to issue \$4,000,000 aggregate principal amount of notes to be dated November 2, 1942 to mature \$500,000 principal amount on November 1, 1944 and a like principal amount on each May 1 and November 1 thereafter up to and including May 1, 1948 and are to bear interest at the rate of two and one-quarter percentum (2¼%) per annum payable semi-annually. Said notes will evidence borrowings from the following banking institutions in the following amounts:

The First National Bank of Boston, Boston, Mass.	\$2,872,550
First and Merchants National Bank of Richmond, Richmond, Virginia.	263,750
State-Planters Bank and Trust Company, Richmond, Va.	281,400
The Central National Bank of Richmond, Richmond, Va.	82,300
National Bank of Commerce of Norfolk, Norfolk, Virginia.	300,000
The Seaboard Citizens National Bank of Norfolk, Norfolk, Virginia.	200,000
	4,000,000

The proceeds of said notes will be used to aid in financing the cost of constructing a new power station to be located on the James River in Chesterfield County, about five miles from Chester, Virginia, and transmission lines connecting said station with the company's interconnected power system, which plant will cost approximately \$6,800,000, construction of which is already in progress.

By the Commission.

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-10264; Filed, October 13, 1942;
9:24 a. m.]

[File No. 70-455]

NORTHEASTERN WATER AND ELECTRIC CORP., ET AL.

NOTICE REGARDING AMENDED FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 10th day of October 1942.

In the matter of Northeastern Water and Electric Corporation and Denis J. Driscoll and Willard L. Thorp as Trustees of Associated Gas and Electric Corporation.

Notice is hereby given that an amended declaration or application (or both), has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Denis J. Driscoll and Willard L. Thorp, as Trustees of Associated Gas and Electric Corporation; and

Notice is further given that any interested person may, not later than October 23, 1942, at 5:30 P. M., request the Commission in writing that a hearing be held on such matter, stating the reasons for

such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pa.

All interested persons are referred to said amended declaration or application, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

On March 3, 1942, the Commission permitted the declaration to become effective with respect to, among other things, the sale by the Trustees of Associated Gas and Electric Corporation of 155,747 shares of the common stock of Northeastern Water and Electric Corporation, to John H. Ware, Jr. and Penn-Jersey Water Company, for a cash consideration of \$3,805,197.14. (Holding Company Act Release No. 3353.) Subsequent orders have been issued extending the time of the consummation of such transaction to December 15, 1942. The Trustees of Associated Gas and Electric Corporation have filed an amended application and declaration whereby the common stock of Northeastern Water and Electric Corporation will be sold to John H. Ware, Jr. and Penn-Jersey Water Company for a total consideration of \$3,224,665.77. The purchase price is to be paid as follows:

A minimum of \$1,224,665.77 in cash will be paid on the closing date, the bal-

ance by a collateral promissory note delivered to the Trustees at the closing date secured by 155,747 shares of common stock of Northeastern Water and Electric Corporation. The note will bear interest at 3% per annum and will mature November 15, 1943. The purchasers will have the right to anticipate payments of principal in whole or in part at any time without premium, and at maturity to apply for a renewal of not more than \$1,000,000 of the note for a further period of one year.

By the Commission.

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-10265; Filed, October 13, 1942;
9:24 a. m.]

[File No. 70-610]

COLUMBIA OIL & GASOLINE CORP.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 10th day of October 1942.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above-named party; and

Notice is further given that any interested person may, not later than October 23, 1942 at 5:30 p. m. request the Commission in writing that a hearing be held on such matters, stating the reason for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter,

such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed to the Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

All interested persons are referred to said declaration or application which is on file in the office of said Commission for a statement of the transactions therein proposed, which are summarized below:

Columbia Oil & Gasoline Corporation, a subsidiary of Columbia Gas & Electric Corporation, a registered holding company and a subsidiary of The United Corporation, also a registered holding company, proposed to purchase from Columbia Gas & Electric Corporation \$300,000 face amount of the corporation's Twenty-year debentures for \$312,000 plus accrued interest, such amount being the redemption price specified in the indenture securing such debenture; the debentures so acquired to be tendered to City Bank Farmers Trust Company, Trustee, under the indenture, for cancellation and retirement in lieu of the semi-annual cash sinking fund payment required under the provisions of said indenture.

Sections 9, 10 and 12 (c) of the Act and Rule U-4 of the Rules and Regulations of the Commission issued thereunder have been designated as applicable to the proposed transactions.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-10266; Filed, October 13, 1942;
9:24 a. m.]